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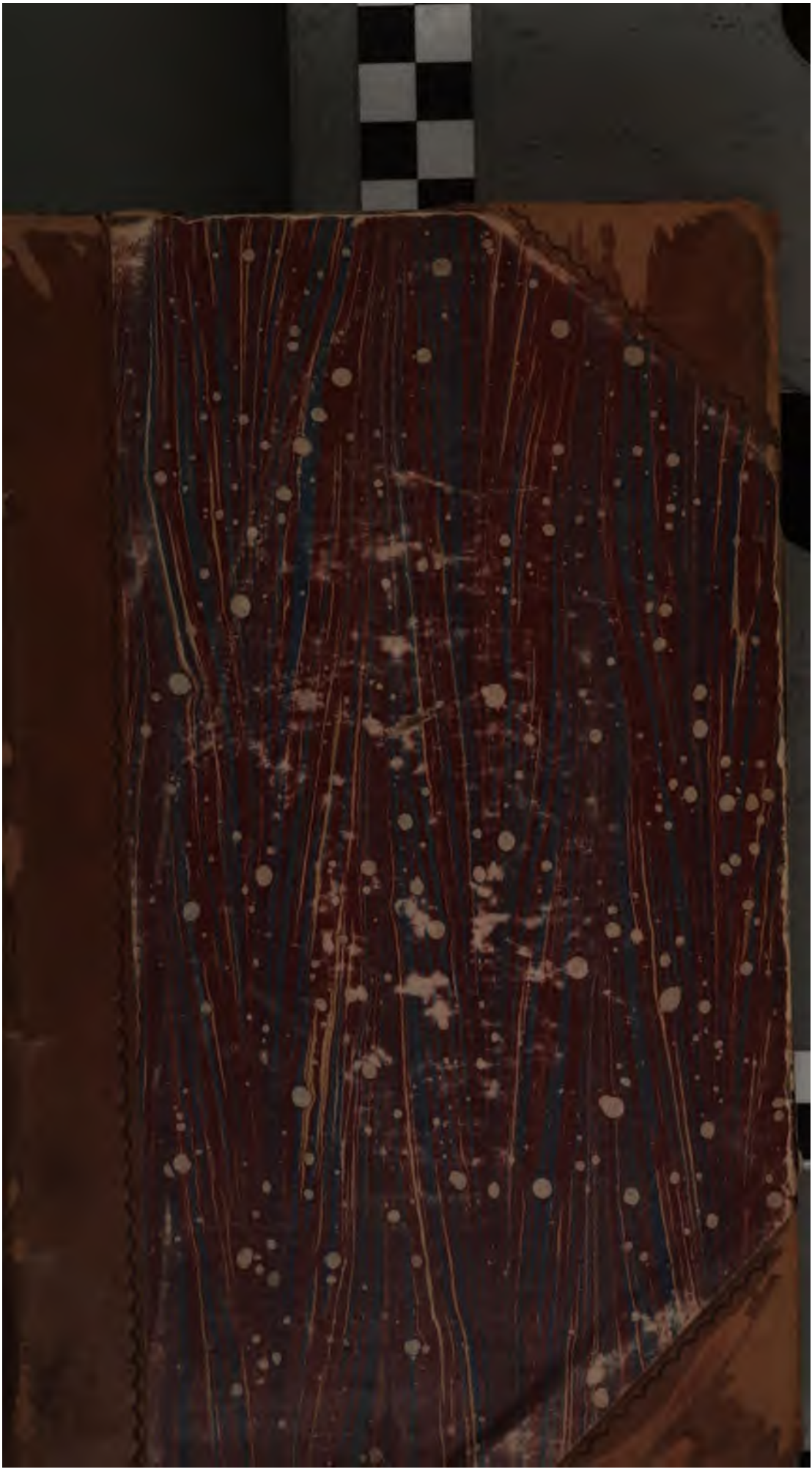
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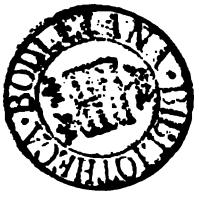
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THE

HISTORY OF SCOTLAND,

FROM THE EARLIEST PERIOD

TO THE PRESENT TIME

VOL. IV.



BLACKIE AND SON
GLASGOW, EDINBURGH, AND LONDON.



THE

HISTORY OF SCOTLAND,

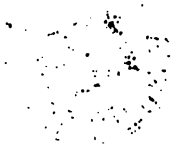
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WITH NUMEROUS ENGRAVINGS.

VOLUME IV.





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THE

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Book IX.

Charles I.—Causes of the Scottish and English troubles.—Proceedings of the Court of Star Chamber.—Case of W. Prynne.—Of Dr. A. Leighton.—Their effect on the Scots.—An English Parliament.—Earl of Strafford impeached.—Charges of the Scots against Laud.—Reception of the Scottish Commissioners at London.—Effects of the Preaching of the Ministers there.—London, &c. petition against Episcopacy.—Discussions respecting the Treaty.—Trial of Strafford.—Plot of the English Officers discovered.—The King sanctions the attainder of Strafford.—Treaty concluded.—Presbyterians urge uniformity of Religion.—Answer of the English Parliament to this Proposition.—Act of Oblivion.—Death of Earl of Rothes.—Scottish Parliament.—Correspondence between Montrose and the King.—Montrose propagates reports injurious to Argyle.—Stewart the principal evidence tried and executed.—Regulations of the Parliament.—Charles arrives at Edinburgh.—His speech to Parliament.—The treaty ratified.—His concessions.—State of Parties.—The Incident.—Effects produced by it on the English Parliament.—Massacre of the Protestants in Ireland.—Report of Scottish Parliament respecting it.—Representation of the English Parliament to the King on the subject.—Desire a change of his councils.—Acts passed by Parliament.—View of its conduct.—Proceedings of the Assembly.—Act for regulating private meetings for religious exercises.—Accused by the English of favouring Independency.—Their answer.—Desire uniformity in church government.—Their endeavours to promote learning. 1640-1641.

1. National discontent seldom originates in trivial matters; nor is it easy to excite a people against an established government, even in cases of flagrant misrule, unless their natural attachment have been previously alienated by continued oppression or neglect. Revolutions, however sudden in appearance, are not in common the effects of sudden impulse; the immediate visible agents may be trifling, the shock unexpected, instantaneous, and universal, but there must have been in silent operation, a number of unnoticed, unheeded

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1640.

Causes of the Scottish trouble,

causes, which in fact produce them. The revolution in Scotland, productive of such important consequences, first assumed form and shape from a very insignificant circumstance—the indignation of an old woman against the prayer book; but the causes were the tyranny and misrule of two reigns. To the same causes may be traced the troubles of England, and the commotions which for so many years shook the island; upon the narration of which as far as Scotland was concerned, we are now to enter. The grievances of both nations were similar in many respects; but the point on which we shall find them most cordially united for a while, was aversion to prelacy. That this aversion in Scotland was well founded, is sufficiently evident from the details which have been given; that it was equally so in England, will appear from a very brief review of some of the processes in the court of high commission and star chamber. In Scotland, the conduct of the court of high commission, was arbitrary and severe; but the enormities of which its model in the sister kingdom was guilty, were more vexatious, terrible, and revolting. The following instances will suffice.

And of the English—similar.

Proceedings of court of star chamber,

11. The church of St. Edmond's in Salisbury, which had been sequestrated by act of parliament in the reign of Henry VIII. was sold to a private individual by James I.; and after several transfers, was purchased by the parishioners, who restored it to its original use. The windows, painted after the old fashion, among other things, contained a history of the creation, in which the Almighty was drawn under the figure of an old man, with a pair of compasses, in the act of measuring the sun, as if to take its true proportion. Judging the representation too ludicrous and profane, the vestry desired it to be removed, and the vacancy replaced with plain glass. The recorder, in obedience to their commands, employed a glazier to effect this reformation; but unfortunately, in pointing out the panes, he carelessly, or maliciously struck some of them rather hard, and demolished part of the fair work of the creation. For this sacrilege he was summoned before the star chamber, and charged with having—in opposition to the canons, which forbid any innovation or alteration in the beautifying of a church without special li-

Against recorder of bury St. Edmunds.

cence from the king or the bishop of the diocess—combined with other enemies of the church of England, and her government by bishops, to break down the windows of the church of St. Edmond's, and deface the excellent pictures of the creation painted thereon, of great antiquity, and highly ornamental, in contempt of his majesty and their diocesan; and to the encouragement of other wicked and schismatical persons, who, by the example of such profanity, would be emboldened to commit similar outrages upon sacred places.

III. The recorder, in his defence, contended, that from the time it fell into the hands of the crown, the church was legally exempted from the jurisdiction of the bishop; and *those* who purchased it, had power to alter the windows, as *they* had done the steeple, pulpit, and other parts of the building; that he only had knocked out some squares of coloured glass, but the story of the creation was still complete; and so far from being fine, it was a coarse daub, which did not cost above forty shillings, and which impiously contradicted and profaned the scripture account:—for to express the fifth day's work, the similitude of a naked man was painted lying on the earth, as it were asleep, and so much of the similitude of a naked woman, as from the knees upward, seeming to grow out of his side; whereas, Adam was created on the sixth, and the woman instead of growing out of his side, was formed of a rib; for the seventh, a little old man sitting, figured God's rest;—besides, there were acts of parliament, authorizing the removal of pictures from churches. But his pleas were set aside, and he was sentenced to pay a fine of five hundred pounds, to be removed from the recordership of the city, make a public acknowledgment of his fault, and be bound to his good behaviour. Laud, who was present, and could find no alleviating circumstance in the case of the poor recorder—who was suspected of being a puritan—having apologized for the painter's mistake respecting God, by quoting a text, in which he is called the Ancient of Days, the earl of Dorset begged leave to correct him; the passage meant God from eternity, and not God to be pictured as an old man, creating the world with a pair of compasses.

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1640. William Prynne.

IV. William Prynne, of Lincoln's Inn, barrister, a gentleman highly esteemed in the profession, of extensive property and irreproachable loyalty, having on his first arrival in London, been induced by the pressing importunity of his acquaintances, to attend the theatre occasionally, disgusted with the gross obscenity and ribaldry which then had possession of the stage, and observing the pernicious effects which such exhibitions had produced on several of his fellow students, who, from chaste, sober, modest youths, had become vicious, prodigal and debauched, by the lessons they learned within, and the company who collected without, in the purlieus of the playhouse, resolved to denounce amusements he considered as so pernicious. He collected the most striking passages in the christian fathers and other writers upon the subject, and published them with some observations of his own, in a large quarto volume, entitled Histriomastix. In his own remarks, he had indulged an asperity of language which was disagreeable at court, as the queen was a great patroness of the actors, and had herself performed in pastoral interludes at Somerset house; and the king was an admirer of scenic representations. His general reflections against attending plays, were, for these reasons, construed into treasonable libels against their majesties; and he was summoned to answer before the star chamber for the offence. The unfortunate author in vain protested upon oath, that he intended no sedition, that the general resort to plays was the first occasion, and the reformation of the abuse his sole end in writing the book. He was adjudged to be for ever incapable of practising at the bar, to be expelled the society of Lincoln's Inn, to be degraded at Oxford, to stand in the pillory at two places—in Westminster and Cheapside—with a label on his head, stating his offence; to lose both his ears, one at each place, pay a fine of five thousand pounds to the king, and suffer perpetual imprisonment. The publisher was condemned to pay a fine of five hundred pounds, and to stand in the pillory.*

His sentence.

* It was at first proposed to erect the pillory in St. Paul's Church Yard, but the archbishop objected to it, as being consecrated ground! Rush. vol. v. p. 225.

BOOK IX.

1640. Lord chief justice's speech.

v. In pronouncing sentence, the lord chief justice, who had long known Prynne, and expressed his sorrow at being forced utterly to forsake him, thus pronounced his opinion of the work, and the punishment of his old acquaintance. "We are here troubled with a book, or monster—*monstrum horrendum informe, ingens!*—give me leave, I do not think Mr. Prynne is the only actor in this book, but that there were many heads and hands therein besides himself. I would to God in heaven, the devil, and all else that had their heads and hands therein besides Mr. Prynne, were ——&c. For the book, I do hold it a most scandalous, infamous libel, to the king's majesty, a most pious and religious king, to the queen's majesty, a most excellent and gracious queen, such an one as this kingdom never enjoyed the like, and I think the earth never had a better. It is scandalous to all the honourable lords, and the kingdom itself, and to all sorts of people. I say eye never saw, nor ear ever heard of such a scandalous and seditious thing as this mishapen monster is; yet, give me leave to read a word or two, where he cometh to tell your lordships of the reasons why he writ this book:—'Because he saw the number of the plays, playbooks, playhaunters, and playhouses so exceedingly increased, there being about forty thousand playbooks now, more vendible than the choicest sermons.' And what saith he in the epistle dedicatory? 'They bear so big a price, and are printed on far better paper, than most octavo and quarto Bibles, which hardly find so good a vent as they,' and then he putteth on the margin, 'Ben Johnson printed on better paper than most Bibles,' This monster, this huge misshapen monster, I say, it is nothing but lies and venom against all sorts of people. I beseech your lordships give me leave, 'Stage plays,' saith he, 'none are gainers and honoured by them but the devil and hell; and when they have taken their wills in lust here, their souls go to eternal torment hereafter,' and this must be the end of this monster's horrible sentence. He doth not only condemn all play writers, but all protectors of them, and all beholders of them; they are all damned, and that no less than to hell! I said it was a seditious libel! The good opinion, heart, will, and affections of the king's people and sub-

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jects, are the king's greatest treasure. Now, for any man cunningly to undermine these things, and bring the king into an ill opinion among his people, is a most damned offence, and if I were in my proper place, and Mr. Prynne before me, I should go another way to work. I protest it maketh my heart to swell, and my blood in my veins to boil—cold as I am—to see this, or any thing attempted, which may endanger my gracious sovereign." Then, after mentioning the other points of the sentence, "I fine him five thousand pounds, for I know, he is as able to pay that as five hundred; perpetual imprisonment I do think fit for him, and to be restrained from writing, neither to have pen, ink, nor paper; yet, let him have some pretty prayer book, to pray to God to forgive him his sins; but to write in good faith, I would not have him." His lordship was seconded by the earl of Dorset, to this effect:—"The devil who hates every man upon earth, played the divine, cited books, wrought miracles, and he will have his disciples too, as he had his confessors and martyrs. No, my lords, this contempt, disloyalty, and despair, are the ropes which this emissary lets down to his great master's kingdom, for a general service. My lords, when God had made all his works, he looked upon them, and saw that they were good; this gentleman—the devil having put spectacles on his nose—says that all is bad; no recreation, vocation, no condition good, &c." His award was still more severe, "Mr. Prynne, I do declare you to be a schism-maker in the church, a sedition-sower in the commonwealth, a wolf in sheep's clothing, in a word, *omnium malorum nequissimus.* I shall fine him ten thousand pounds, which is more than he is worth, yet less than he deserves. I will not set him at liberty, no more than a plagued man, or a mad dog, who, though he cannot bite, he will foam. He is so far from being a sociable soul, that he is not a rational soul! He is fit to live in dens, with such beasts of prey, as wolves and tigers, like himself! Therefore, I do condemn him to perpetual imprisonment, as these monsters, that are no longer fit to live among men, nor to see light!" "Now, for corporal punishment, I would have him branded in the forehead, slit in the nose, and his ears cropt too!"*

Earl of Dorset's

* Hume, after narrating some of the instances noticed in the text, adds, with true philosophical calmness, "The severity of the star chamber, which was

VI. Prynne, after undergoing the corporal and pecuniary part of his punishment, during his confinement in the Tower wrote some controversial works against the prelatical innovations; particularly one entitled the unbishoping of Timothy and Titus. For this he was again brought before the same court, fined another five thousand pounds, condemned to lose the remainder of his ears, and to be strictly confined in a solitary and a distant dungeon. At the same time, Henry Burton, B. D. rector of St. Matthews, Friday-Street, London, for some expressions in a sermon preached in his parish church; and Dr. John Bastwick, an eminent physician, for two pamphlets respecting the supremacy of bishops and a parity among ministers, were tried, and both sentenced to pay each five thousand pounds, and lose his ears, or suffer perpetual imprisonment, the one in the Scilly islands, and the other in Guernsey; and their wives were prohibited under the severest penalties, to come near the places of their husbands' confinement.

Further proceedings against him,

Burton, and Bastwick.

VII. Among the superstitious observances objected to in these publications, was bowing at the altar, a practice which Laud religiously enforced, both on himself and others. "For my own part," said his grace, "I take myself bound to worship with body, as well as in soul, whenever I come where God is worshipped; and were this kingdom such as would allow no holy table standing in its proper place—and such places some there are—yet I would worship God when I came into his house; and were the times such as should beat down churches, and all the curious carved work thereof, with axes and hammers, as in Psalm 74—and such times have been—yet would I worship in what place soever I came,

Laud's remarks.

generally ascribed to Laud's passionate disposition, was perhaps in itself somewhat blamable!" Had only *one* deist suffered a few months imprisonment for his opinions, how different would the solitary punishment have been noticed. Only one instance since the Reformation has occurred of a deist being executed for his creed, and all Europe has re-echoed with the sufferings of Servetus; while the same pack, who, full-mouthed upon the scent, have made every avenue of literature resound with their execrations of Calvin—and Bayle has shown how falsely—have passed over, or extenuated the fires of Smithfield, and the scaffolds of the Grassmarket. But deists are an unfeeling, illiberal, intolerant sect, to all except themselves, whatever they may pretend. Hist. of Eng. 8vo. vol. vi. chap. 52.—Rushworth, vol. ii. pp. 226, 240.

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and pray though there were not so much as a stone laid for Bethel. But this is the misery! 'tis superstition now-a-days, for any man to come with more reverence into a church, than a tinker and his bitch come into an ale-house!"*

Dr. A. Leighton persecuted.

VIII. Dr. Alexander Leighton, a Scottishman, for a publication, entitled "Zion's plea against prelacy," was still more cruelly used; he was arrested by two officers belonging to the star-chamber, hurried to a wretched low damp cell in Newgate, without light but what entered from a broken roof, and overrun with rats and other vermin. Here he lay from Tuesday night, till Thursday at noon, without food; and for fourteen days endured solitary confinement in this miserable hole. In his absence, his house was rifled, his books destroyed, and his papers carried off. After sixteen weeks' imprisonment, he was served with an information of the crimes with which he was charged; but he was sick and unable to attend, and from the nature of his disorder, a fitter object of compassion than punishment—for the skin and hair had almost wholly come off his body,†—yet, absent and sick, this aged, infirm divine, was condemned to a punishment which the stoutest ruffian could hardly have endured; which some of the lords of court conceived could never be inflicted on a dying man, and was pronounced only as a terror to others. But it was mercilessly inflicted. On the 29th of November, on a cold frosty day, he was stripped, and received thirty-six lashes with a treble cord, after which, he stood during a snow storm, two hours half naked on the pillory, was branded on one cheek with a red hot iron, had one ear cut off, and one side of his nose slit. In a week, before the sores on his back were near healed, he was again whipped at the pillory in Cheapside, and had the remainder of his sentence executed, by slitting his other nostril, cutting off his other ear, and branding his other cheek. He was then carried back to prison, till he should pay a fine of one thousand pounds, or endure, as his persecutors imagined, perpetual imprisonment.

* The whole of the archbishop's elegant speech, is in Rushworth's Appendix, vol. iii. p. 116–33.

† It was alleged he had been poisoned, from the strangeness of the disease, but there was no other proof.

IX. Such punishments, so arbitrarily inflicted, by courts where Laud had the chief direction, and where opposition to episcopacy was the most prominent crime, inflicted too, on gentlemen whose birth, education, rank, and professions should have exempted them from such odious punishments, except for odious crimes, instead of inspiring terror, inspired indignation. Accounts of these tragedies, confirmed the Scots in their detestation of a hierarchy, whose highest dignitary could authorize cruelties of that kind; exasperated the English puritans, who were adverse to the discipline and rites of the church, and alienated even the most moderate, who had not yet abjured her communion;—these are only a few of the higher, numbers of humbler delinquents were unrecorded; but their sufferings were not less severe, nor the impression they made in their narrower circles less indelible.

Effect of these proceedings on the Scots;

X. To a parliament the nation had long looked forward as their only hope, and they depended upon the co-operation of the Scottish army for its duration, who, in return, relied on it for satisfaction to their demands. The flagrant abuses in the state, had called into action, an opposition, from a numerous and respectable class of men, whose importance the government seems entirely to have overlooked —the substantial yeomanry, who were directed by the leading country gentlemen.* These, whose discontents originated chiefly from civil causes, from the arbitrary stretches of power, the levying of illegal taxes, and various oppressive measures, the detail of which, properly belongs to English history, were denominated political puritans; and could they have secured their privileges in other respects, would not have entered very deeply into any discussions respecting the rites and ceremonies of the church; but Charles and his advisers had contrived so to interweave the grievances of church and state, that he united in the closest bonds, both the religious and political puritans; and as both suffered from the tyranny of the same courts, they combined their efforts against them, and, in the course of their opera-

On the English yeomanry

* Memoirs of Col. Hutchison, Quarto Edit.

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tions, imbibed or respected the principles of each other. In consequence, when a parliament was summoned, the elections fell upon the most pious, or the most patriotic country gentlemen; and they formed an irresistible majority in the house of commons, of virtuous, able, and zealous representatives.

English parliament.

XI. At length this parliament, so long eagerly expected, met on the 3d of November, 1640. The king's opening speech was in a very modified tone; he threw himself entirely on the love and affection of his English subjects, nor would he mention his own interest, or the support he might justly expect from them, till the common safety were secured. The first object to which he directed their attention, was the chastising out the rebels—a term he afterwards apologised for using—and then he promised, heartily and clearly, to concur in satisfying their just grievances. The house of commons inverted the order recommended, and began with their grievances. The Scots had pointed out to their indignation, Strafford and Laud, as two of the chief incendiaries, whose punishment was requisite to ensure the peace of the two nations. The lord lieutenant of Ireland was obnoxious to the Scots, as the ablest, as well as the keenest of their enemies, and whose decided character they most dreaded; he had proclaimed them traitors and rebels; but before he ventured on this step, he had procured large subsidies from the Irish parliament to carry on the war against them, he had raised an army, of from nine to ten thousand men, with which he threatened a descent on the western coast, and he had forced the Scots in Ulster, to take an oath disavowing the covenant. His dissatisfaction with the late treaty, was open, and his advice to the king had been, to suffer any extremity rather than negotiate. That unfortunate nobleman, who, much against his judgment and inclination, had been ordered by Charles to leave the army at York, and attend him at London, was preparing to impeach some of the popular leaders, of a traitorous correspondence with the enemy, when, on entering the house of lords, he was himself surprised with an impeachment from the commons—to whom he was pe-

Impeach Strafford,

culiarly offensive—as "the grand apostate to the commonwealth."*

1640. And Laud.

XII. Strafford's impeachment, was a prelude to that of Laud, which was supported by a complaint from the Scottish commissioners. They considered him as their archenemy, the prime mover of the innovations in their church, which had been the immediate cause of the war. Their charges against him, were for unjustifiable interference in their ecclesiastical affairs; his ordering the bishops to appear in their pontifical robes, contrary to the custom of the kirk; his desiring a list of those counsellors and members of the college of justice, who did not communicate according to an authorized form, to be sent up to him in order to their being punished; his obtaining warrant for an high commission court to sit once a week in Edinburgh; and his directing the taking down of galleries and stone walls in the churches of Edinburgh and St. Andrews, to make room for altars and adoration towards the east; but, above all, his causing to be intruded upon them a book of common prayers, containing many popish errors and ceremonies contrary to the church of Scotland, and the acts of their parliament; and upon their refusal to admit it, his instigating the king to declare them traitors and rebels, and procuring a prayer, composed and printed by his direction, to be read in all the parish churches in England during divine service, in which they were styled traitorous subjects, who had cast off all obedience to their sovereign; and supplication was made to the Almighty, to cover their faces with shame as enemies to God and the king.

XIII. The two chief confidential ministers of the king being committed to custody, parliament proceeded to inquire into the other complaints, which innumerable petitions from every quarter reiterated in their ears, now that the people perceived their voice would be heard. Engaged in investigating their own abuses, and sensible of the important aid they derived from the presence of the Scottish army in England, and the Scottish commissioners in London, the treaty was not pushed forward by the parliament with the rapidity

The treaty stands still.

* Lord Digby's speech.—Rushworth, vol. iii. p. 1356.

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which its removal to the capital had promised; nor, as new views now presented themselves to the covenanters, who expected to see their favourite bond established throughout the land, from Dan to Beersheba, was it pressed with much urgency by them.

XIV. What may be the ultimate result of civil commotions, it is impossible to calculate at their commencement, or during their progress; nor are they always to be accused of unwarrantable ambition, or improper motives, who are placed in stations at the close of a struggle, which they had no expectation of, and to which they could have had no pretensions at the beginning. When the Scots were entirely employed in endeavouring to prevent the imposition of the English service-book upon themselves, it is not at all probable that the most sanguine among them could entertain the least idea that ever they would have an opportunity of inculcating openly their own mode of worship in the English capital, with the approbation of the English parliament, much less, that any prospect would ever present itself of introducing it into England; but their desires expanded as the scene opened; and before they returned to their native country, a proposal for uniformity in religious worship throughout the whole island, founded upon this basis, was left for the consideration of those men who had the chief management of that kingdom. The Scottish commissioners, the earls of Rothes, Dunfermline, and Loudon, sirs Patrick Hepburn of Wauchton, William Douglas of Cavers, Messrs. Drummond of Riccarton, Smith of Edinburgh, Wedderburn of Dundee, Hugh Kennedy of Ayr, with Archibald Johnston, advocate, and Alexander Henderson, minister, together with their chaplains, were received in London with the greatest demonstrations of affection and respect; they were supported at the public expense, by the city, had a house appointed for their residence, and the church of St. Antholm's, for their devotion.

Views of the Scots expand.

Their commissioners arrive.

XV. The ministers were men of distinguished talents, and sincerely zealous in the cause for which they pled; their earnest impressive manner, and their discourses, suited to the spirit of the times, attracted immense crowds to their public services. From morning till night, during Sabbath,

the place and the passages were crowded, and those who could not gain admission within, surrounded the doors, and clung to the windows. Persecuted as they had been by the episcopalians, it affords no matter of surprise, that they did not display in their attacks upon a system to which they had traced every calamity their country had endured, that calmness and temper which those, who never exposed to suffer for their creed, have not always preserved. In public and private, from the pulpit and the press, they oppugned the hierarchy; and their doctrines, disseminated among a people already prepared by the indolence, tyranny, and superstitious attachment to trifles, which distinguished the court clergy of the church of England, produced an almost instantaneous and amazing effect.* The citizens of London first gave in a petition to parliament, in November, praying a reformation in the liturgy, ceremonies, and discipline of the church of England; and early in December, another, to which fifteen or twenty thousand signatures were attached, was brought forward, craving a total extirpation of episcopacy, root and branch. These were followed by great numbers of others, from various places, complaining of ecclesiastical usurpations, and all were favourably received by the commons.

1640. Zeal of their ministers.

London, &c., petition against episcopacy.

XVI. Charles, who saw, but could not prevent the immense ascendancy which the army of the Scots gave to the malecontents, sent for both houses to attend him at Whitehall, to whom he represented the inconvenience that resulted from maintaining two armies at the same time, and requested them to bring their business to a close; promising that he would willingly and cheerfully concur in the reformation of 1641.

* The Scottish ministers have left the evidence of their abilities behind them, in various publications, remarkable for acuteness of argument, a forcible, and far from inelegant elocution, although occasionally perplexed by a multiplicity of subdivisions, and a syllogistic method of reasoning, now gone to disuse; but, perhaps, the highest testimony to their talents, is the respect in which they were held by the first geniuses of the age, men who carried the piety they expressed in public, into the private intercourse of life, and whose daily and most intimate conversation, bore evidence to the bent and inclination of their souls; or to use the philosophical phraseology of Hume, "whose whole discourse and language were polluted with mysterious jargon, and full of the lowest and most vulgar hypocrisy!!" Hist. of Eng. vol. vi. ch. 54.

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all innovations in church and state; but at the same time reminding them, that there was a great difference between reformation and alteration in government,—the one he was willing to consent to, but would always endeavour to resist the other. The commons submitted to the inconvenience, and went on with their examination of grievances, nor was it till they had obtained the most material of these ends, that they seriously set about concluding the treaty. In the meantime, their commissioners discussed the articles with those of the Scots; and the latter, taught by the last negotiations at Dunse-law, rejected all verbal communications, and required every proposition to be reduced to writing. Each article was discussed at length, and separately; and were in substance similar to the specification delivered to the king at York, [vol. iii. page 570.] The first, ratifying the acts of the late Scottish parliament, which implied a compliance with every demand, civil and ecclesiastical, was for some time resisted by the king; it was, in an unhappy hour, establishing a precedent for the English parliament, who were at that moment engaged in assailing their own religious establishment, and his acquiescence in the complete overthrow of episcopacy in the one kingdom, he considered as paving the way for its downfall in the other; but the English commissioners, overcome by the arguments of the Scots, or friendly to the objects themselves, concurred in recommending its acceptance, and the king reluctantly consented, "That the acts of the parliament assembled by his authority at Edinburgh, 1640, should be proclaimed along with those of the next session of the same parliament." The second, requiring that Edinburgh castle, and the other strengths of the kingdom should be garrisoned according to the first intent, was agreed to with little discussion, as was the third, by which Scottishmen, in Ireland and England, were freed from being constrained to take oaths inconsistent with the covenant; but the fourth, which required that the public incendiaries, the authors and causers of the late troubles, should be brought to trial and punished, according to the sentence of their respective parliaments, underwent a long discussion, and was with much difficulty acceded to by the king. He was extremely anxious to pre-

Discussions respecting the treaty.

vent his confidential servants from being brought before parliament, as he knew the general enmity that was entertained against them; and endeavoured—by conferring first with the nobles alone, next with the whole commissioners together, and then with such of them individually, as he thought the likeliest to yield, particularly Rothes—to obtain, either, that this article might be omitted altogether, or the matter be referred entirely to himself, to neither of which would the Scottish commissioners agree.

XVII. Strafford, who saw that his fate depended upon this article, in his letters from the Tower, occasioned considerable delay; and a variety of proposals were made and rejected. At last the king sent them a message, informing them, that he was confident the parliament would not proceed with those who were called incendiaries, that he and they should fully agree, and that it was improper to prejudge the question before they decided. The Scottish communicated this to the English commissioners, informing them, that, as their powers were from the parliament as well as the king, they required them to lay the long debated question before it. The English lords, who were desirous also that this article should pass, told his majesty, that if the disputed point were referred to parliament, it would be lost, as undoubtedly it would be carried in favour of the Scots. He yielded to necessity, and promised, that all his courts of justice should be open against all evil counsellors and delinquents; that the parliament of Scotland should have liberty to proceed against such; and, that he would not employ any person, in any office or place, who should be judged incapable by sentence of parliament, nor make use of their service, nor grant them access to his royal person, without the consent of parliament. The fifth article, that ships, goods, and damages should be mutually restored, was agreed to, and four thousand pounds were allowed, to fit out eighty Scottish vessels that had been detained in English ports. The reparation for the loss sustained by their detention, was agreed to be referred for inquiry, and was included in the sixth article, concerning the losses which the kingdom of Scotland had sustained in the late unprovoked war, and the indemnification for the expense incurred during

Discussions continued.

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two campaigns. The importance of this article excited the fears of those who were friendly to the Scots, and the hopes of the royal party, who wished to disunite them and their allies. Unwilling to hazard the responsibility, the commissioners referred it to parliament. The amount claimed, of which the particulars were minutely set down, was five hundred thousand pounds, a sum that startled several of the members, and occasioned some sharp debates. The Scots declared that, the whole having been incurred in resisting the common enemy, they considered themselves entitled to a compensation, but would leave the proportion to the decision of the house; affirming that they would cheerfully have supported the whole expense, had not the poverty of their country rendered this impossible. Three hundred thousand pounds were ultimately voted, under the appellation of a brotherly assistance, which was accepted, with many expressions of love and grateful affection.

Trial of the earl of Strafford.

XVIII. While this article was in abeyance, the earl of Strafford was brought to trial. The accusations of the Scots, tended to swell the tide of popular indignation, already sufficiently impetuous, against this unfortunate nobleman; but they were what in common times would never have been received; they arose from his zeal for the service of the king, and to them he was a foreigner. The Scottish residents had no right to claim exemption from an oath in Ireland, however arbitrary, which the governor of that island deemed necessary for its security; nor could he be condemned for using every means of annoyance in his power, against those whom he considered the enemies of his sovereign. He was charged by the English with attempts to subvert the fundamental laws of the kingdom; and the animosity of his prosecutors, heightened by the recollection of his apostacy from the public cause, produced a new species of crime—cumulative treason—by which a number of acts, though each in itself insufficient to constitute any high offence, were, when taken together, allowed to establish a capital delinquency—a method of procedure, at the best of very doubtful propriety, indefensible, except in very extraordinary circumstances; and if, upon some occasions, it be admitted, to reach the head of the wary instruments of an insidious despotism, it is

also capable of being subverted to the most tyrannical oppression of patriotic innocence. Even after the extension which the commons had given to the crime of treason, they would have found it difficult, if not impracticable, to reach the hated earl, according to the ordinary forms of justice; they therefore brought in a bill of attainder, which probably would have been lost in the upper house, but for one of those fatalities, to which an insincere, or a hesitating policy is always liable, especially during a period of popular ferment.

Plot of the officers.

XIX. Some of the principal officers in the army, observing symptoms of disgust arising among the soldiers, from the marked attention paid to the Scottish forces, encouraged them; and as their pay was somewhat in arrears, took occasion to insinuate that they were neglected by the parliament, and would find it more advantageous to adhere to the king. In consequence, an association was formed, under an oath of secrecy, to tender their services to his majesty; and a form of petition to parliament was prepared, to be signed by the whole army, expressive of their apprehensions from the turbulent spirits, and frequent tumults of factious malecontents, and offering to guard the king and the two houses. This petition was seen and approved of by Charles, who countersigned it as a mark of his approval. Before it could be properly matured, however, the plan was discovered by one of the officers to the popular leaders in parliament, and was immediately communicated to the house of commons, by Pym, at the time when the bill of attainder against Strafford was about to be brought before the house of lords. The alarm excited by the discovery of this conspiracy, to take possession of the city of London, and overawe the two houses of parliament, was hurtful to the interest of the king, and fatal to his favourite. The peers, under its influence passed the bill, and the king, after a severe struggle, yielding to the violence of the commons, the clamours of the people, and the entreaties of the queen, gave the royal assent by commission. He, at the same time—and it was a strange coincidence—authorized the commissioners to sign another, for preventing the dissolution of parliament without its own consent, which eventually brought himself to the scaffold.

Fatal to Strafford

Charles sanctions his attainder.

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xx. When the purposes for which the Scottish army had been principally retained were accomplished—by the abolition of the star chamber, and high commission court, of the illegal exactions and monopolies, and the act for ensuring the frequent assembling of parliament—the treaty was resumed, and brought without difficulty to a speedy conclusion. By the seventh article—which was adjusted June 14th—all declarations, acts, books, libels, and whatever had been published by either side derogatory to the other, were mutually recalled and suppressed; and by the eighth, it was agreed, that the garrisons of Berwick and Carlisle should be reduced, and placed on the same footing they were before the late troubles commenced. Besides these, another was proposed by the Scots, but not inserted in the treaty, urging unity in religion, and uniformity of church government, as essential for preserving peace between the two kingdoms.

Treaty concluded.

xxi. Presbyterian principles had made rapid strides among the parliamentary party during the residence of the Scottish commissioners in London; yet, a large and respectable body were inclined to moderate episcopacy, while a number of those who joined in the outcry against the hierarchy, were suspected of entertaining opinions favourable to the independent or congregational plan. As long as the power of the prelates remained formidable, the differences among their opponents were made matters of forbearance; but it is difficult, when parties of different sentiments respecting the nature of church government, have frequent meetings, to prevent collision. The Scots, who had begun in their own country to contend against some approaches to independency, viewed with a jealous eye, its progress among their friends in England, from which they prognosticated no good; and were on this account the more anxious to procure the consent of parliament to the establishment of one confession of faith, one directory for the public worship of God, and one form of church government in all the churches of his majesty's dominions. Nor did they perceive, that to enforce this by law, was to establish, under a different form, the same spiritual bondage, against which they had been so firmly contending; and it is somewhat curious to observe, that the arguments they used to enforce their proposition,

Presbyterians urge uniformity in religion.

are exactly the same they had so indignantly repelled, when employed to establish prelacy. Uniformity in faith and worship, it was said, would be acceptable to God, who delighteth to see his people walking in truth and unity, would preserve peace, and prevent many divisions; the sovereign would thereby be eased of much trouble, arising from difference of religion, and both king and subject from much inconvenience; for wherever they had occasion to go, they might then find an opportunity, without any scruple of conscience, to be partakers of one and the same form of divine worship; the names of heresies, sects, and papists, would be no more heard of! and instead of unprofitable controversies, the ministry would be engaged in the labours of devotional and practical divinity! Uniformity in government was urged, because there can be little hope of unity in religion, which is the chief bond of peace and human society, unless there be one form of ecclesiastical government; because difference on this point had been the principal cause of all other differences between the two nations, since the reformation of religion; because—although it ought not to be so—it proves true in experience, that churchmen through their corruption, are more hot, and greater zealots about government, than about matters more substantial;—for their worldly dignities and wealth being concerned, it is observable that they sometimes foment and cherish contrary factions, to promote their own importance; and, because none of the reformed churches, though far distant, and under different magistrates, disagree so widely in church government, as these two kingdoms in one island, and under one monarch. Among the reasons they alleged for the preference of presbytery, was the opinion held by the reformed churches, that it is *de jure divino*, and perpetual; while they asserted, that episcopacy, as it differs from the office of a pastor, is almost universally acknowledged,—even by the bishops themselves and their adherents,—to be but an human ordinance established by law and custom for convenience, without warrant of scripture; and may therefore be altered or abolished by human authority. The answer to this article was cautious. "His majesty, with the advice of both houses of parliament, doth approve of the affection of his subjects

Their reasons for it.

Answer to their request.

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in Scotland, in their desire of having conformity of church government between the two nations; and as the parliament hath already taken into consideration the reformation of church government, so they will proceed therein in due time, as shall best conduce to the glory of God, the peace of the church, and of both kingdoms.

Act of oblivion.

XXII. Annexed to the treaty was an act of oblivion, from which only were excepted the earl of Traquair, sir Robert Spotswood, sir John Hay, Mr. Walter Balcanquhal and the Scottish bishops. As these last had their temporalities sequestrated, and their spiritual functions were at an end, it required no great sacrifice on the king's part, to consent to their being excluded from pardon, in a country in which there were so few inducements for their wishing to remain, and to which there appeared so little probability that any of them, at least in an ecclesiastical capacity, would ever return; but he anxiously sought to procure indemnity for the others, especially Traquair, who had only acted in obedience to his orders, and for whose safety he felt doubly interested since the death of Strafford. His partialties were indulged, by allowing tacitly the punishment of the delinquents to be referred to himself.

Charles attempts to gain the Scots.

XXIII. As long as the king had any prospect of being able to manage the parliament of England, he was not very hearty in bringing to a conclusion, what he considered so very humiliating a treaty. At the first proposal of uniformity between the two kingdoms, for which the demolition of episcopacy was to pave the way, his aversion was undisguised, and for some days, his intercourse with the Scottish commissioners was broken off; but when he saw all his expedients fail, and his power almost annihilated by the discovery of his endeavours to gain over the army, he turned to the Scots as a forlorn hope, and attempted to exercise his kingcraft upon them. Montrose he had gained. He next tampered with Rothes, whose attachment to the opposition, like that of the other, had originated rather in private disgust, than in any decidedness of principle. The promise of a rich marriage, and a confidential situation near the king's person, had given impulse to the returning loyalty of that nobleman, when a fever at Richmond cut off his expec-

Death of earl of Rothes.

tations, and deprived his master of any advantage from his defection. In pursuance of his design, he determined to proceed to Scotland; and this resolution probably tended to accelerate the conclusion of the treaty on the part of the English, who were afraid of his majesty's personal influence among the troops, and were in consequence eager that both armies should be disbanded. A fourth part therefore of the brotherly assistance was advanced; the rest agreed to be paid in equal moieties within two years; and all arrears adjusted in such a manner, as to send the Scots home perfectly satisfied with the result of their expedition, and united by closer ties than ever, to their affectionate brethren.

Parliament meets.

XXIV. Upon the treaty being concluded, the Scottish parliament, after several adjournments, met, July 15th, 1641; but at the request of lord Loudon, who assured them that the king would be in Scotland about the middle of August, they agreed to allow all important business to lie over—except such as necessity should compel them to conclude—until his majesty's arrival; and employ themselves during the interval, in arranging the matters to be afterwards discussed. Charles was preceded by an unfortunate circumstance; a new secret correspondence with Montrose was discovered, by one of the earl's letters being intercepted. The story of the bond too, was fully brought to light; and he, along with several of his friends, were committed close prisoners to Edinburgh castle, as plotters. When questioned before the estates, that nobleman professed his sorrow for being involved in any suspicious circumstances, and promised to submit himself to their direction; and the estates, after hearing counsel, would have been content with a formal renunciation of the bond; but in the course of the investigation, a discovery was made, that he had propagated a report injurious to the reputation of Argyle, amounting to treason, and calculated to influence the king's mind against him. He had, it appeared, on the detection of the bond, in conversation with one Murray, minister at Methven, endeavoured to persuade him that it was agreeable to the tenor of the covenant, and intended to counteract the projects of some—*i. e.* Argyle—who meant to depose the king. Murray,

Another correspondence of Montrose with the king, discovered.

His injurious reports against Argyle.

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when examined respecting this story by the committee of estates, gave up Montrose, who produced one Stewart, commissary, or judge of the consistorial court of Dunkeld, as his author.

xxv. Stewart's account was, that when the earl of Athol, and eight other gentlemen, of whom he—Stewart—was one, were prisoners in Argyle's tent, at the ford of Lion, Argyle said publicly, "That the estates of parliament had consulted both lawyers and divines anent the deposing of the king, and gotten resolution that it might be done in three cases—desertion, invasion, prodition or vendition of the kingdom, and that they once thought to have done it at the last session of parliament, and would do it at the next sitting thereof." The witnesses alleged to have been present, denied the fact, and Stewart himself retracted the accusation, declaring, "That the earl of Argyle, having spoken of kings in general, and the cases wherein it is thought that they might be deposed, the deponent did take the words as spoken of our king;" and out of the malicious design of revenge, confessed that he added these words, "That the first thing parliament would have begun upon, was to depose the king; and that however they had deferred it, he feared it was the first thing they would fall upon at the next session, or the first thing that will be begun in the next session," and this recantation was verified by the testimony of sir Thomas Stewart, who having been offered a pension by Traquair, if he would certify Argyle's words in writing, wrote a declaration, which was intercepted on Montrose's messenger, and afterward attested by sir Thomas before the committee of estates. Argyle, thus implicated in a charge of the most dangerous nature, in order to clear his character from the aspersion, was under the necessity of prosecuting Stewart before the court of justiciary, for the crime of leasing-making; and the unfortunate man being found guilty upon the clearest evidence, suffered the sentence of the law. The earl himself would have willingly consented to his pardon; but as there were others involved in the calumny as well as he, no application was made for the royal mercy. His memory has in consequence been traduced, as if he had betrayed Stew-

Stewart retracts his evidence.

Tried for leasing-making.

Executed.

art into a confession, by a promise of ensuring his safety, and afterwards infamously allowing him to suffer.* From this, the unsolicited evidence of sir Thomas Stewart fully exculpates him. It is perhaps less easy to excuse his consenting to the execution of a cruel law; but the fact stands recorded as an evidence of the injustice of allowing the last penalty to be attached by statute to crimes which ought not to be punished with such rigour; and of trusting for its modification to the discretionary powers of any man, however upright or humane.

XXVI. Among the preliminary arrangements in which the estates employed themselves, a committee was appointed for regulating the order of the house; they settled the fines for non-attendance, or for coming too late—every nobleman ten pounds, every baron six pounds, thirteen shillings, and fourpence, and every burgess three pounds, six shillings and eightpence, Scots; none but regular members were allowed to come into the house; the lords of session claimed, as men who were administrators of the laws, the right of being present when they were framed, but the estates would only allow them to be so when sent for; the lord advocate insisted upon being present and voting, as his privilege. After a considerable debate, it was decided that he should be admitted, and allowed to sit covered at the president's feet, upon this condition, that he should have no vote, and only speak when his opinion or advice was required by the estates. Johnstone moved that some of the ministers might be permitted to attend, for the interest of the church, but Argyle opposed the motion as introductory to ministers voting, and it was immediately quashed. The peers' eldest sons were quite indignant at being excluded from an assembly, to which in a few years they would be called by hereditary right; and the lords Angus, Montgomerie, Maitland, and Elcho, insisted upon being admitted, as their lawful privilege; but the barons and burgesses would do nothing while they were there, and they were in consequence forced to retire. A great deal of desultory debate and discussion took place respecting the incendiaries; Traquair offered to submit himself to

Regulations made by parliament.

* Guthrie's Memoirs, p. 91. Laing's Hist. vol. iii. pp. 544, 545.

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the parliament without a trial, which the king thought might have sufficed; his request was, however, refused, and the former arrangement adhered to. Lord Loudon, who had promised to the king to endeavour as much as in his power, to allay the animosities, having executed his engagements with fidelity and zeal, his exertions began to create a suspicion that he was gained over to the court party; and a sinister attempt was made to exclude him from the commission who were to return to England with the Scottish parliament's consent to the treaty. His lordship, grieved at being suspected of acting a double part, and at seeing his virtuous and honest endeavours to serve his country repaid with ingratitude, requested that he might be relieved from the fatigue of the employment, and freed from any blame with regard to his past conduct, if they found him not blameworthy:—so difficult is it, in times when factions run high, for men of integrity, who cannot go every length with all the enmities of any of the parties, if they conscientiously hesitate, or stop short, to escape suspicion from the side they usually support This proposal to retire, called forth the prompt assurances of his friends, and a gratifying declaration of confidence in his faithfulness from the estates, who would not accept of his declining to go to London, as he was particularly acceptable to the English, and was more ingenuous in his communications with the king, than any other of the Scottish commissioners; he was therefore constrained to proceed, and was besides employed as the bearer of letters to his majesty, acquainting him with all the proceedings of the estates. As a concluding regulation, it was ordered, that an oath of fidelity to the church and state should be administered to all the members of parliament, to secure them as far as possible from "tentation and court corruption."

Suspicions against Loudon.

Repelled by parliament.

XXVII. It was the natural consequence of the repeated examples that Charles had given of duplicity in his dealings, that his every action became liable to suspicion. His proposed journey to Scotland awakened the fears of the English house of commons, who were apprehensive, that under this pretext, he concealed a design of putting himself at the head of the forces; and in a conference with the lords, they

proposed requesting him to defer setting out till both the armies were disbanded;—their alleged reason was, that several bills had passed the lower house, which had not gone through the house of peers, to which the royal assent was necessary. In compliance with their petition, he consented to remain till the 10th of August; under other pretexts they endeavoured to detain him still longer, but he would agree to no farther delay; and having left a commission to pass what acts remained, he took his departure to revisit his native country, under far different circumstances than when adorned with the uneclipsed radiance of the English crown, he went to assume that of his ancient kingdom. Instead of being attended by a magnificent train of obsequious courtiers, and receiving a fair and outward homage as he passed, he was followed by a committee of parliament* appointed to act as spies upon his conduct; and his progress was through a discontented and disobedient population. Instead of being waited for by expectant nobles courting his smiles, and a nation anxiously desirous to secure his favour, the principal chieftains of Scotland were ranged in arms, which had lately been hostile; and his caresses were received with indifference, by men to whom, formerly, the smallest mark of notice would have been regarded as the highest condescension.

Charles sets out for Scotland.

XXVIII. At Newcastle, the king stopped and dined with general Leslie. Laying aside his natural distance and reserve, he received graciously and condescendingly, all the officers who were introduced to him, nor attempted to assume any appearance of authority. On his arrival on the Scottish border, he was waited on by numbers of the neighbouring gentlemen, and when he reached Gladsmuir, was

* When the parliament found they could not prevail on the king to delay his journey, they resolved that a committee should attend his majesty to Scotland, as commissioners to the Scottish parliament, to remain there and transmit information with respect to their proceedings. The commissioners named, were the earl of Bedford, lord Howard of Escrick, sir Philip Stapleton, sir William Armyne, Messrs. Fiennes and Hambden, to such a commission the king refused his consent, but he agreed to their coming as commissioners to assist in the ratification of the treaty; stickling for names, and attachment to shadows when he had lost the substance—the common error of ordinary minds in adversity—were among the concurring causes of Charles' misfortunes.

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welcomed by a deputation from the estates, consisting of the earl of Argyle and lord Almond, the barons Innes and Kerr, and the burgesses of Aberdeen and St. Andrews. In the evening he reached Holyroodhouse, his slender personal retinue consisting only of his nephew the elector palatine, the duke of Lennox, and the marquis of Hamilton, where, notwithstanding the fatigue of his long journey, he held a levee the same night in the long gallery, and received the compliments of the nobility and barons, who were introduced in form, and had the honour of kissing his majesty's hand.

XXIX. Accommodating himself to his situation, the king next day—the Sabbath—attended divine service in the chapel royal, when it was performed after the presbyterian manner; he heard the morning sermon with seeming approbation, and having omitted to return in the afternoon, submissively listened to an admonition from the minister, who reminded him of his duty, and promised more punctual attendance in future; a promise which he faithfully observed during his residence in Scotland, without ever betraying any symptoms of disgust, although sometimes, even the presbyterians themselves, complained that the discourses and worship were protracted to a tedious length; nor did he object to his chaplains officiating regularly, without either liturgy or ceremonies; one proof more, if any were wanting, that Charles' conscience was of a pliable contexture, where political expedience rendered it necessary.

Conforms to presbyterian modes.

XXX. To his mortification, he found Montrose and his friends were imprisoned, and that the detection of the plotters and banders, had exasperated the prosecution against the incendiaries. Ruminating, but secretly, on all the sad vicissitude around him, he did not stir abroad on the Monday, but assembling his privy council, he remained in close consultation with them respecting the best manner of fulfilling the treaty, and yielding to the restrictions imposed on his prerogative without seeming to yield. It was discussed as a matter of form, whether he should open the parliament in the usual manner, with the ceremony of riding, and the advocate adduced several precedents; but as this might have cast some shade of doubt with regard to the lega-

Holds a council.

lity of their former proceedings, it was resolved that it should be omitted.

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XXXI. In pursuance of this resolution, the king, after hearing sermon in the Abbey church, drove up the Canongate and High Street in a coach, and alighting at the Ladies' Steps, walked to the house, preceded by the regalia, the marquis of Hamilton carrying the crown, the earl of Argyle, the sceptre, and the earl of Sutherland, the sword. He entered about 11 o'clock, accompanied by the elector Palatine, who had a richly embroidered seat prepared for him on the left hand of the throne. After he had graciously saluted the members, he addressed them, "My lords and gentlemen, there has been nothing so displeasing to me, as those unlucky differences which have of late happened betwixt me and my subjects; and nothing that I have more desired, than to see this day, wherein I hope, not only to settle these unhappy mistakings, but rightly to know, and be known of my native country. I need not tell you—for I think it is well known to most—what difficulties I have passed by and overcome, to be here at this time; yet this I will say, that if love to my native country had not been a chief motive to this journey, other respects might easily have found a shift to do that by a commissioner, which I am come to perform myself. All this considered, I cannot doubt but to find such real testimonies of your affection for the maintenance of that royal power, which I do enjoy, after one hundred and eight descents, and which you have so often professed to maintain, and to which your own national oath doth oblige you, that I shall not think my pains ill bestowed. Now, the end of my coming is shortly this;—to perform whatsoever I have promised, and withal, to quiet these distractions, which have and may fall out amongst you; and this I mind, not superficially, but fully, and cheerfully to do; for I assure you, that I can do nothing with more cheerfulness than to give my people contentment and a general satisfaction; wherefore, not offering to endear myself to you in words, which indeed, is not my way, I desire in the first place, to settle that which concerns the religion and just liberties of this my native country, before I proceed to any other act." The president replied, thanking his majesty for all his former

Attends parliament

His speech.

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goodness, and his present expressions of love toward his ancient kingdom; and Argyle, in an elegant speech, though, perhaps, rather too adulatory, after enumerating the dangers and tempests through which his majesty had steered the vessel of the state, and complimenting him on his skill, as the pilot who had weathered the storm, entreated him not to leave her till he had brought her to a safe anchor, and settled her in her desired haven.*

Distrust of the Estates.

XXXII. Immediately, and without solicitation, his majesty desired the acts of the parliament, 1640, to be brought for his ratification; but uncertain whether any latent claim of prerogative might not lurk under this promptitude, and whether it might not be intended to destroy the validity of all the proceedings which had not received the confirming touch of the sceptre, they evaded the request; and, upon the grounds that he had already confirmed them by the treaty, and that no other ratification was now necessary than that they should be published in his name, the king was persuaded not to insist. The jealousy of the estates for their privileges, was also evinced on occasion of an incident which occurred the same day. A contest having arisen between the earl of Wigton and sir William Cockburn of Langton, respecting the office of hereditary usher to the parliament, before the right was established, Cockburn seized the mace,

Assert their privileges.

and carried it before his majesty; and the king, without inquiring into the particulars, on a complaint being made, having issued a warrant for confining him to the castle, he was taken into custody. Offended at the imprisonment of one of their members, they ordered a committee of two from each estate, to wait upon his majesty, and remonstrate with him upon this infringement of their privileges; in consequence, the king apologized, and declared that he did not know when he issued his warrant, that Cockburn was a member of the house; and promised for himself, his heirs, and successors, that they should never commit any member during the sitting of parliament, without its own consent, with which the house were highly gratified, and ordered the declaration to be entered on the records.

* Balfour's Hist. Works, vol. iii. p. 41. et seq.

XXXIII. Nor did they manifest a less regard for adherence to the covenant, and anxiety for excluding from their number, such as were imagined unfriendly; together with the bond of obedience to the acts of the parliament, 1640, it was approved by the king and the estates, and the following oath appointed to be taken by every member of parliament before he took his seat. "We, undersubscribers, and every one of us, do, in the presence of Almighty God, promise and vow, that in this present parliament, we shall faithfully and freely speak, answer, and express ourselves, upon all and every thing, which is or shall be proposed, so far as we think in our conscience, may conduce to the glory of God, the good and peace of the church and state of this kingdom, and employ our best endeavours to promote the same, and shall in no ways advise, vote, or consent to any thing, which to our best knowledge, we think not most expedient and conducible thereto; as also, that we shall respect and defend with our life, power, and estate, his majesty's royal person, honour, and estate, as is expressed in our national covenant, and likewise the power and privileges of parliament, and the lawful rights and liberties of the subjects, and by all good means and ways, oppose and endeavour to bring to exact trial, all such, as either by force, practice, counsel, plots, conspiracies, or otherwise have done, or shall do any thing in prejudice of the purity of religion, the laws, liberties, and peace of the kingdom; and farther, that we shall in all just and honourable ways, endeavour to preserve union and peace betwixt the three kingdoms of Scotland, England, and Ireland, and neither for hope, fear, nor other respect, shall relinquish this vow and promise." This oath, it was imagined, would prevent the intrusion of all the opponents of the ruling party into parliament, but oaths are frail ties in such cases—one only refused to subscribe.

Impose a new oath.

Its inefficiency.

XXXIV. Not a few have reproached the Scots with a contracted selfish zeal, as if all their sympathy and affection had been confined to their own country and party; but neither they, nor their friends in England, were inattentive to the cause of religion and liberty abroad, as well as at home. That unlooked for prosperity, produced among the presbyterians some mischievous effects, cannot be denied; it cherish-

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1641. Liberality of the Estates.

ed an intolerant exclusive spirit in the best, while it attracted to their councils, persons who were not really attached to the cause; and who, acting from unworthy motives, were in general, the authors of the most reprehensible measures of that people, of whom they became afterwards the most cruel persecutors, and shameless calumniators.* The first reformers in Scotland felt a deep and lively interest in the fate of the sufferers in France; they interceded, though in vain, for the persecuted puritans in England during Elizabeth's reign, and in this parliament, their descendants gave decided proof, that similar feelings still existed, by their readiness to aid the elector Palatine, the king's nephew; and by their eagerness to run to the assistance of the protestants, on the breaking out of the Irish rebellion, news of which reached Scotland when this parliament was about to rise. On the king's laying before the estates his own manifesto in favour of the prince, and the resolution of the English parliament to support it, they, after some days' deliberation, agreed to concur in all their measures for this purpose, and offered to raise ten thousand men; but the troubles which soon distracted the councils of both kingdoms prevented the execution of their purpose; yet the young elector ever afterward retained a most grateful sense of the kindness expressed for him, both by the Scots, and the puritans of England, and refused to take part in their civil dissensions, when his brothers, the princes Rupert and Maurice, joined their uncle.

They offer to assist the prince Palatine.

xxxv. When the treaty was ratified, an act was passed, the counterpart of one previously passed in England, according to previous stipulation, in order more effectually to secure tranquillity, providing:—That war should not be declared by Scotland against England or Ireland without due warning, three months at least, nor without the previous consent of parliament. Second, that mutual assistance should be rendered to each parliament, to prevent foreign invasion, or internal disturbance; and if any of the subjects of either kingdom make war upon their fellow-subjects, without consent of parliament, they should be reputed, and treated as traitors

Treaty with England ratified.

* We shall afterward have frequent occasion to remember and exemplify this remark, particularly when we come to narrate the deeds of the felon band of apostates, in the reign of Charles II.

to the state. Third, that commissioners be appointed to watch over the execution of the treaty, and preserve the peace during the interval between triennial parliaments. The first was a wise and proper precaution, the second was afterward a cause of complaint, when the Scots entered England to act against the king, and the last completed the triumph of parliamentary over regal power.

XXXVI. One object of primary importance, which had occasioned considerable discussion at the settling of the treaty in London, and which had been referred to the consideration of parliament, was the right of appointing the officers of state. The king claimed the nomination as his unalienable and undoubted right, which had always been exercised by the Scottish monarchs, and never called in question in England. On the other hand, the parliament quoted many instances, in the unsettled and variable administration of the country, where the election of these functionaries was with the advice of parliament, and contended that the right rested with them. They insisted upon this—which was certainly an invasion of the prerogative—on account of the malignant influence the English cabinet had had in the direction of Scottish affairs, to which source they traced the late troubles; and because the commonly distant residence of the king rendered him accessible to misrepresentation, from his unavoidable ignorance of the state of the country. At last the king yielded to their desires, and when he personally intimated his acquiescence to the house, every member arose, and made a profound reverence to the throne, in token of their grateful acknowledgments.* Immediately an act was introduced, and passed with the exception of only one vote—lord Yester's—proceeding upon the narrative of his majesty's willingness to give his native kingdom all pos-

State officers to be appointed with the advice of parliament.

* The king's speech to the parliament during this discussion, is remarkable, as it contains an admission of his own double dealing upon other occasions, and shows that he knew he was distrusted. "Hes maties ansuer to the house wes, that he did much wounder that they should stand soe one quiddities; and *although he knew how to aequivocate*, zet he did protest that he neur did, nor vold with them, quhome he wold villingly giue all satisfactione in reassone, with saftie of his honor: and nou he granted their foresaid absolutely in eache circumstance, as it wes conceaued, which he ther signed with his hand." Balfour's Annales.

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sible satisfaction, and of the difficulties which his distance created in the way of his being acquainted with the qualifications of the candidates for these high places of trust; and therefore declared for himself and his successors, that he would make choice of the fittest persons for statesmen, counsellors, and senators, with the advice and approbation of the estates of parliament, when they were sitting, and by advice of his privy council, when they were not.

xxxvii. But still considerable difficulty remained about the nomination, as almost all the high offices of state were vacant. The lord treasurer's being the most lucrative, was an object of the greatest contention; the friends of the earl of Loudon were desirous that he should obtain it, Argyle, however, also wished it; to prevent dispute, it was therefore put into commission. Loudon was promoted to the chancellorship, and formally installed in office, the king delivering into his hands, in face of parliament, the great seal, together with the mace; he then took the oaths of office, and was placed by the Lyon King of Arms, in his chair under his majesty's feet, on the right hand of the lord president of parliament. He immediately rose, and bowing before the sovereign, said, "Preferment comes neither from the east, nor from the west, but from God alone. I acknowledge I have this from your majesty, as from God's vicegerent on earth, and the fountain of all earthly honour here; and I will endeavour to answer that expectation your majesty has of me, and to deserve the good will of this honourable house, in faithfully discharging what you both, without any desert of mine, have put on me," and having kissed his majesty's hand, resumed his seat. The clerk register's office was likewise contested between Johnston, and Gibson of Durie, but the last carried it, and Johnston was created a knight, and appointed one of the lords of session, by the title of Warriston. The earl of Lanark was continued secretary; Roxburgh, lord privy seal; sir Thomas Hope of Craigenhall, lord advocate, and sir John Hamilton of Orbiston, lord justice-clerk. Sir John Spotswood, the president, and three of the judges, were removed from the bench, and eight privy counsellors struck off the king's list, at the request of the estates, and the offices which had been

The appointments.

conferred by their advice, were confirmed during good behaviour, or life.

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XXXVIII. In return for the king's concessions, parliament consented to release the incendiaries and plotters from prison, refer their trial to a committee during the recess, and their sentence to the king; but this adjustment did not tranquillize the country, nor eradicate from the minds of the parties, those seeds of suspicion, and principles of mutual repulsion, which their contentions had engendered. The high royalists were displeased at the concessions the king had made, and at the favour into which he had received the presbyterians; and the presbyterians were not altogether satisfied that the others had thus escaped some exemplary punishments, or that without some special infliction they would consent to be quiet. The marquis of Hamilton, who had gratified the covenanters by his application for Loudon, and by the moderate measures he was understood to have advised, had not only succeeded in getting himself erased from the list of incendiaries, but gained such influence, that together with Argyle, he shared their confidence, and swayed their councils. Becoming in consequence suspected by the king, he of course became an object of calumny, and of vengeance to his former associates, who viewed him with an antipathy little inferior to that with which they regarded the earl. The insults to which he was thus subjected, formed matters of parliamentary inquiry. Lord Carnwath was represented to have said, "Now, there are three kings in Scotland, but by God, two of them shall lose their heads"—naming Hamilton and Argyle; but as only one evidence could be produced, the accusation was dropped. Lord Henry Kerr, however, eldest son of the earl of Roxburgh, accused the marquis as a juggler with the king, and a traitor both to him and his country; and, in a fit of intoxication, sent as his second, lord Crawford, who was in the same state, to carry the charge and a challenge. This message he delivered in an insolent and furious manner, in the presence chamber, to which Hamilton calmly replied, if he would return on the morrow, he would give him an answer. The parliament resenting such an open affront offered to one of their members in such a place, complained

State of parties.

Hamilton challenged in the king's presence.

BOOK IX.

1641. Parliament resents this.

to the king; when the marquis interfering, requested they both might be pardoned, on account of the regard he bore to lord Kerr's father, and the particular circumstances of his companion; yet the parliament would not rest satisfied till lord Kerr publicly confessed his fault, and asked pardon of the king and of the marquis, for the impropriety of his conduct. The marquis, aware of the suspicions and surmises which were abroad respecting him, seized the opportunity for exculpating himself, and obtained an act of the estates, not only declaring that he was free from the scandalous words, tending to the prejudice of his honour and fidelity to his king and country, spoken in his majesty's presence, by lord Henry Kerr, and acknowledged in presence of parliament by the speaker, to be both rash and groundless; but that his majesty and estates believe, and esteem him to be a loyal subject, and faithful patriot.

Pass an act in his favour.

XXXIX. This public testimony did not silence the whisperers who had access to the king, and he soon discovered by the coldness of his manner, that their insidious stories had created or confirmed unfavourable impressions on his mind. Lanark, too, perceived that the king's countenance was changed towards him, and he used the freedom to ask his majesty, if he thought him capable of doing any thing deliberately, that could merit his displeasure. To which the king answered, that he believed he was an honest man, that he had never heard any thing to the contrary, but that his brother had been very active in his own preservation; a reply which gives some credibility to the king's being involved in the still dark and not well explained plot, which, from its apparent unconnexion at the time, with any other event in Scotland, has been denominated, the INCIDENT.

The Incident.

XL. Shortly after the conversation I have mentioned, notice of a design against Hamilton and Argyle—in which the earl of Crawford, colonel Cochrane, and lieutenant-colonel Alexander Stewart, were to have been the principal actors, and to which it was said the king, lords Almond, Ogilvy, Gray, and Kinpunt; Murray groom of the bed-chamber, lieutenant-colonel Home, captain Stewart, and a number of others were privy—was communicated to the marquis. He, with Argyle and Lanark, were to have been summoned

at midnight to court, as if to attend his majesty on some very urgent business. In the way thither, they were to have been arrested as traitors, and delivered to the earl of Crawford, stationed for that purpose with a number of armed men in the garden, at the foot of the Blackfriars, by whom they were to have been carried to a frigate in Leith roads, or assassinated, in case of offering any resistance. Colonel Cochrane was to have marched with his regiment from Musselburgh, to overawe the town of Edinburgh, and secure several of the other leading members of parliament. A vigorous attempt was at the same time to have been made, to obtain possession of the castle by Montrose, after which the prisoners would have been brought to trial. The information was speedily communicated to all interested, who fortified their houses against surprise, and the report becoming public, the whole city presented a scene of alarm and confusion; the citizens were under arms all night, and strong guards were everywhere placed.*

* This event, which Hume says, "had neither cause nor effect that was visible, nor purpose, nor consequence," Hist. vol. vi. chap. 55, had a very evident purpose, and very important consequences. Its purpose was to overturn every thing that had been done in Scotland, and its first consequence was to revive the spirit of jealousy in the parliament, which had almost been laid asleep, and next, to give additional weight and influence to the parties who were the reported objects of the court's dislike. If the plot were true, then all is plain; if it were a suppositious one, Hamilton and Argyle must have been the authors of a very vile and infamous fabrication, for no visible end; to gain an object of which they were in full possession—the public favour—as idle a design as unworthily projected. The question then is, was it true? The evidence taken before the committee of parliament, upon which they decided, "that the marquis of Hamilton, and earls of Argyle and Lanark, has good reason for withdrawing themselves," has been lost. Balfour, in his journal of parliament, has preserved the following notes of the depositions. Captain William Stewart's depositions of the 12th of October—taken—by the three estates, anent the discovery to him of the plot, by lieutenant-colonel Alexander Stewart, which plot was to be put in execution the 11th of October.

The said captain William's second depositions, taken by the committee, little or nothing differing from that taken by the three estates, read.

Lieutenant-colonel Alexander Stewart's deposition, taken by the committee, 22d October, containing a discourse contrary in purpose to that which captain William Stewart deponed he related to him, anent the apprehending the marquis and Argyle, and sending them to the king's ship, or else stabbing them; but concerning my lord Ochiltree's imprisonment and liberation, and how the said lord had spoken truth of the marquis, which was, that he was a

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XLI. Next day, the king, attended by five hundred armed men, entered the outer hall of the parliament house in a menacing manner, and increased the confusion; nor would they proceed to business, till general Leslie was intrusted

traitor in effect; this deposition was all contradictory to captain William Stewart's.

The two Stewarts' contradictions, taken under their great oaths, paralleled, read.

Lieutenant-colonel Hume's depositions before the three estates, October 12th, read, and his re-examinations before the committee, 23d October, affirming all his former depositions to be truth, wherein there was much of the plot discovered.

Matthew Hamilton's deposition being read, contradicting his master, lieutenant-colonel Alexander Stewart.

Lieutenant-colonel Ludovick Leslie's depositions read, anent lieutenant-colonel Alexander Stewart's going with him to Sweden, which was altogether false.

Lieutenant-colonel Richardson's deposition before the committee, 23d October, anent his privy conference with the earl of Crawford, read.

Colonel Laurence Blair, his depositions before the committee, anent his discourses with the earl of Crawford, full of fooleries, read.

Earl of Crawford's depositions before the committee, anent a discourse at dinner in the earl of Airley's house, concerning a letter written by the earl of Montrose to the king, wherein he undertakes to prove the marquis of Hamilton a traitor, read.

Lieutenant-colonel Hume's second deposition before the committee, 23d October, anent a discourse betwixt colonel Cochrane and him, of William Murray's taking him to the king's bedchamber, read.

Captain Robert Kennedy, his deposition before the committee, anent his discourse with colonel Cochrane, read.

Colonel Cochrane's deposition under his own hand, containing a conference betwixt William Murray and him, anent the arresting of Hamilton and Argyle, read.

Item, the committee's interrogatories at Cochrane, of his own depositions, wherein he contradicts Hume, read.

William Murray, one of the grooms of his majesty's bedchamber, his depositions taken by the committee, 25th October, anent a discourse betwixt the earl of Montrose and him, which he confesses he declared to his majesty; and of his delivering of three letters from the earl of Montrose to the king, and of his majesty's answers to them.

Item, the said William confesses his taking of colonel Cochrane to the king's bedchamber; but does not know what the colonel said to the king.—Item, he denies many points of Cochrane's depositions against him, anent divers discourses betwixt them.—Item, he denies he knows any thing of drawing Hamilton and Argyle to a conference in the king's drawing-chamber, read.

Lord Almond's depositions before the committee, 25th October, wherein he confesses that William Murray, Crawford, lords Ogilvy, Gray, &c. was such a night at his house, read.

with the discretionary command of all the troops in the town and neighbourhood, and every stranger who had not particular business, was dismissed from the court and the city. The marquis and Argyle, whose followers had assembled

The earl of Crawford's re-examination by the committee, 27th October instant, read; wherein he declares his former depositions to be all true, but only some which he retracts; and in these [depositions,] he confesses, that in the lord Almond's house, there was speaking amongst them of arresting Hamilton and Argyle.

Colonel Cochrane's re-examination on his great oath, before the committee, 27th October instant, wherein he declares all his former depositions to be true, but only these two discourses betwixt William Murray, the earl of Crawford, and him; and the precise time of his own discourse with the lord Ogilvy.

The Committee's interrogatories at Cochrane, of his own depositions, full of contradictions, read.

William Murray's re-examinations by the committee, 27th October, upon his great oath, read; wherein he denies these things that Crawford and Cochrane lay to his charge.

Crawford and Cochrane's confrontations with William Murray, before the committee, 27th October instant, read; wherein William Murray does altogether deny that ever he desired Cochrane to go to the king's bedchamber.

Lieutenant-colonel Hume's re-examination upon his great oath, wherein he avows all his former depositions, and adds anew against the earl of Crawford, read.

The house ordains each estate to have a copy of these depositions, to the effect that they may take the same into their consideration, and to meet apart this day in the afternoon.—3d November.

The committee for the incident, make their report, that, according to the order of the house, they had called before them the earl of Montrose, and interrogated him what he meant by these words of his letter, "That he would particularly acquaint his majesty with a business, which not only did concern his honour in a high degree, but the standing and footing of his crown likewise. He said, what his meaning was, he had already declared to his majesty, and the committee from the parliament, on Saturday last, at Holyroodhouse; he farther declared, that thereby he neither did intend, neither could nor would he wrong any particular person whatsoever. This being read under Montrose's hearing to the house, did not give them satisfaction." From this evidence, meagre as it is, there can be no doubt of the existence of the conspiracy, vide Laing, vol. iii. Note VIII. Its connexion with the accusation of the English is more doubtful. Mr. Brodie has remarked, and it is strange that so evident an observation should have escaped Mr. L. in his hypothesis respecting Saville's forged letter:—"With a knowledge of the existence of that letter, Charles must have learned that it was forged, and consequently must have known that the fact could be proved, so that it could injure none but Saville, who was now in favour." Brodie's British Empire, vol. iii. p. 149, 152.

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avowedly to protect them, apprehensive that some tumult might ensue from the concurrence of so many irritated retainers, retired to Kinniel House, the earl of Lanark's residence, delightfully situated on the south bank, not far from the confluence of the Avon with the Forth. When the house proceeded to examine into the affair, the king, violently enraged against Hamilton, inveighed bitterly against his needless and cowardly flight, and complained of the false and calumnious rumours to which it had given rise. He had, he said, been deaf to insinuations against him from persons of the highest rank, and greatest trust about him, but when justice demanded it, he would not shelter the best subject in all his dominions. He protested his abhorrence of all plots, and swore by God, the parliament, and the fugitive lords too, behoved to clear his honour; till this was done, he required Hamilton to be sequestered the parliament, and a public inquiry, instituted, that his character might be vindicated.

Hamilton and Argyle retire from parliament.

XLII. The estates, under pretext that the accused had friends in the house, and that secrecy was necessary in such delicate investigations, recommended a private committee, where the examination of witnesses could be conducted with greater freedom, in which the king prudently acquiesced; and the lord president Balmerino, the lord chancellor, the duke of Lennox,-with four barons, and four burgesses were appointed for this purpose. The result of their investigation was, that a plot had existed against Hamilton and Argyle, either for their destruction, or their sequestration from parliament, and that they had good grounds for their flight, but were now desired to resume their seats, which they immediately did; and the whole was at the time hushed up with an expedition, that probably originated in the unpleasant situation in which the disclosure might have placed his majesty; for that it had been in agitation to seize Hamilton and Argyle, is evident from the depositions, imperfectly as they are transmitted to us, and that the king was acquainted with more than appears on the record, seems highly probable from the little that does. Colonel Cochrane, whose contradictory evidence gives importance to what is ambiguous, had certainly a long interview with the king, under a pro-

Desired to resume their seats.

mise of secrecy; and Montrose's letters were produced, in which he promised that he would particularly acquaint his majesty with a business which not only did concern his honour in a high degree, but the standing of his crown; and when examined as to what he meant, gave only evasive and very unsatisfactory replies.* Clarendon's account is liable to little objection, and confirms strongly this view of the subject. Montrose, as he states, who was actuated throughout by a restless, wild, and unprincipled ambition, was zealous in the cause of the covenant as long as he was the leading personage; but no sooner did Argyle share that honour, than he made proffer of his service to the king, on whose arrival in Scotland, he, by the agency of Murray of the bedchamber, had a private interview with Charles, and informed him of many particulars from the beginning of the rebellion. The marquis of Hamilton, he said, was no less faulty and false toward his majesty than Argyle, which he was able to prove before parliament, but rather advised to have them assassinated, which he himself "frankly" undertook to do. The king rejected the infamous proposal, and desired him to prepare rather a public accusation against them, which ere he could effect, the whole had transpired, and the scheme was thus rendered abortive.† Evidence of the plot.

XLIII. When documents are silent, conjecture may be ingenious, but it is seldom safe in a historian to indulge it; yet there is so much plausibility in the supposed connexion between this incident, and the attempt afterward made by the king upon some of the leading patriots in the English house of commons, that it would not be proper entirely to overlook it.‡ No sooner was it known that Hamilton and Argyle had taken the alarm, than the English commissioners sent off intelligence by express to London, when the parliament was upon the point of meeting. Watches were instantly set in various parts of the city, by order of the standing committee, and the first thing that occupied the attention of parliament, was the Scottish conspiracy. In a conference between the two houses, its object was stated to be to inter-

* Balfour's Annales, vol. iii. p. 131, et seq. Baillie, vol. i. p. 330. Hardwick's State Papers.

† Clarendon's Hist. vol. ii. p. 298 ‡ Laing's Hist. vol. iii. p. 229.

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rupt the proceedings of the estates in Scotland, and a similar design was alleged to be on foot in England, where some surmises which had been spread of a correspondence between the papists in the two kingdoms, were seized upon as affording sufficient grounds for consulting the safety of the capital and the legislature. It was therefore proposed and adopted, that a strong guard should be kept in the cities of London and Westminster, and an express sent to Scotland, to inform the estates, that the parliament were ready to grant every assistance in their power, to aid in suppressing internal disturbance. At the same time the earl of Essex, who had been placed by the king in command south of the Trent, was ordered to appoint a guard for the protection of parliament.*

Massacre of the protestants in Ireland.

XLIV. Unfortunately at this juncture, intelligence arrived of the Irish massacre, which, as it originated with, and was stimulated by the papists, and belonged as entirely, in all its atrocity, to the influence of that religion, as the massacre of St. Bartholomew, was extremely detrimental to the cause of the king, who had so often shown a bias in favour of the Romish persuasion, and an unwillingness to concur in those measures of restraint, which, though harsh, were considered by the bulk of the protestants, as necessary for self-preservation against the machinations of a priesthood, whose annals cannot show one solitary instance, in which, as a body, they were intrusted with temporal power, and did not abuse it. The atrocities committed before their eyes, convinced the most sceptical, and alarmed the most secure; they perceived that all that had been said about the danger arising from papists and papistical tenets, was not either chimerical, or conjured up merely to answer a purpose; and a majority, if they did not entirely believe, did not altogether reject the rumours that implicated the king, but more particularly the queen, in the terrible transactions. The connexion of Ireland with England, was that of conquered and conqueror in the worst sense; not where a nation is completely subdued, and incorporated with the subjugators; or where all resistance having been overcome, the conquerors, feeling secure

* Rushworth, vol. iv. p. 390. Nelson, vol. ii. p. 492.

in their possession, assimilate with the vanquished, and are lost among them, or recognised only by the superior laws and manners they have introduced; the English never completely reduced Ireland, because they never civilized it, and were never safe beyond the boundaries of their own colonies. The Irish, a brave but a barbarous people, looked with indignant feelings upon the strangers, whom they considered as intruders, and whose flourishing estates, the effects of their own industry, rendered them doubly hateful to men, who preferred a savage community of half cultivated land, to a fixed, but narrower portion of property.

State of that country.

XLV. This feeling of aversion, which the influence and example of successful agriculturists might have eradicated or directed into useful emulation, was deepened by the haughty treatment of the invaders, and by the successive emigrants, who, obtaining grants from the crown, of the estates of the chieftains, whom their insults or tyranny had forced into rebellion, disdained to cultivate the affections of the people among whom they settled; but above all, it was kept alive by the difference of religion—the natives were Roman catholics, the colonists protestants; and the animosity was exasperated by the popish priests, who, although they and their religion enjoyed toleration, and in several instances were the favoured of government, were never contented, nor would ever allow the people to be quiet, as long as the ecclesiastical revenues were appropriated to the support of heretics, and of a religious establishment not exclusively their own.* A nation so situated, needs only an opportunity for rising—this Charles, by his rash and abortive attempts against Scotland afforded; and as the successful resistance of the Scots led the way to the manly opposition of the English, so it unhappily was made a handle of by the Irish, to excite to insurrection, and to endeavour the establishment of ca-

Causes of the rebellion.

* At this day the question of catholic emancipation, as it is called, as a deliverance from grievances, is a mere pretext. The Roman catholics will never be satisfied till they obtain power in the state, and an establishment for their church. They believe as firmly that they have a right to the church livings and lands, as they do in the doctrine of transubstantiation; and were there no rich benefices in view we should hear little of their claims—secularize *them* and we shall be no more troubled about other parts of the question.

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tholic supremacy, in a manner almost too horrible for relation.

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XLVI. Roger More, lord Macguire, and sir Phelim O'Neale —descended from the ancient Irish, and looked up to with veneration for the purity of their blood—the two last, the most powerful of the native Irish, from their wealth, and the other, from the reputation of his courage and capacity, were the principal conspirators. The approach of winter was the time chosen for the execution of their design. O'Neale and his associates, were to commence a simultaneous attack on the whole of the English settlements throughout the provinces, and Macguire and More, to surprise the castle of Dublin on the same day. In Dublin, the plot was discovered and defeated; but throughout the country, the insurrection was universal, and dreadfully successful.

XLVII. Preparatory to the work of death, the priests administered the holy sacrament, and over the consecrated host the people swore to exterminate every protestant. In prosecuting these vows of destruction, their bigot zeal frequently overcame their inveterate avarice. The heretic and his property were consumed in one common flame, or the maimed cattle, were left with their wounded masters, to die and rot, unburied in the fields. The protestant population were taken wholly by surprise; for, trusting to the enmity so generally existing, and so faithfully inculcated upon the catholics, the leaders of the conspiracy committed the particulars of the plot to a comparatively small number. A hint was sufficient to elicit the combustion, and the seizure of their houses, cattle, and goods, was the first intimation the unfortunate English received of their design. Ignorant of the extent of the calamity, and incapable, from its suddenness, of taking any measures for mutual protection, each endeavoured to fortify and defend his own habitation; and their feeble and divided efforts, offered little resistance to the accumulated force, and organized barbarity of their enemies. A universal, indiscriminate massacre, without regard to rank, age, or sex, accompanied by circumstances of atrocious, cold-blooded horror, unparalleled, except in the crusades against the Waldenses, or the Huguenots of France, followed a scene of rapine and pillage. Men, women, and children,

Massacre.

were driven naked from their homes, in an inclement season, to perish by hunger or cold, in the bogs, or on the hills; hundreds were forced at the point of the spear, into rivers and lakes, and drowned amid the exulting shouts of their persecutors; the husband and the wife, the infant and the sire, were mingled together in unsparing ruin; some lingered out a wretched existence in dungeons, amid the most loathsome filthiness; others, suspended on hooks, expired in agony, after protracted torture; children were compelled to murder their parents, and mothers to destroy their own offspring, and were afterward themselves, butchered without mercy; women with child were tormented till their sufferings produced premature labour, and when writhing in the pangs of child-birth, saw the pledges of their connubial love, cast to the dogs, and to the swine. In the city, and in the field, all was wild desolation and despair. But the triumph hath been incomplete, if the perverted feelings and notions of religious phrenzy, had not been gratified by the mental anguish, as well as the bodily pain of the protestants. Numbers were invited to mass, and after having been induced, by promises of safety, to renounce their profession, and comply with the Romish rites, were inhumanly taunted with their apostacy, and put to death, to prevent their relapse. Wherever any show of resistance appeared, the poor wretches were disarmed by insidious promises of safety, confirmed by the most solemn oaths, and when, trusting to these assurances, they capitulated, they were perfidiously slain. The Scots in the province of Ulster, who were estimated at about one hundred thousand, and were more concentrated, were, in the beginning of the rebellion, spared by the Irish, who affected to treat them with moderation, as sprung from the same origin; but, wisely distrusting these hypocritical professions, numbers of them withdrew from the country, and the rest, prepared to meet the faithless assassins, defended themselves in some of the strengths of the province, till assistance arrived from Scotland, and relieved them, although not before they had suffered considerably.

XLVIII. It is impossible to ascertain correctly, the aggregate of those who fell victims in this execrable mas-

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by his majesty, in the large gallery of the palace of Holyroodhouse. Yet it had been with some difficulty that Charles was prevented from casting all loose, and protesting that nothing now done, should be held as prejudicial to his prerogative; nor did he hesitate to encourage the private assurances of his partisans, that the measures he had been constrained to authorize, should be annulled as soon as the public mind had become calm; and the vigilant suspicions of the covenanters laid asleep by his acquiescence, afforded an opportunity.

More proofs of his duplicity.

LIV. Views exceedingly opposite were taken both at the time and afterward, of the proceedings of this parliament. On the one hand, it was said to have, under the influence of selfish or traitorous motives, annihilated royal authority in Scotland, and without the name, established the essential properties of a republic. On the other, it was represented as having, in the upright spirit of enlightened patriotism, protected the cause of liberty and religion, and enthroned the king in the hearts of his subjects. Like all the representations of party, there is much exaggeration in both statements. To the praise of being actuated by principles of the purest patriotism, and by sound views of political liberty, they are from many of their acts justly entitled; but that their virtues were never unalloyed by motives of personal interest or ambition, would be to suppose them to have been inaccessible to the usual incitements of our common nature. The abrogation of the high commission, depriving the king of the power of issuing arbitrary proclamations, enjoining obedience under a penalty of treason, and the institution of triennial parliaments, merit the applause they have received; the scramble for place, which followed the parliamentary assumption of the right of nomination to office, is only one of those shades, that relieves the picture from the absurdity of spotless perfection; the act itself could only be justified by the peculiarity and necessity of the case. The monarch was surrounded by foreigners, liable to their influence, and unacquainted with the characters of the Scottish nobles, qualified to fill the highest offices; the nation had already experienced the pernicious effects arising from their interference, and they knew the king's decided aversion to the only men,

Review of the conduct of parliament.

who, at the present critical juncture, enjoyed the confidence of the nation; nor had they any other effectual constitutional control over the choice of the servants of the crown, unless they had followed the precedent of Lauder bridge.

LV. Previously to his departure, the king endeavoured to secure the personal attachment of the leading nobles; he created the earl of Argyle a marquis, lords Loudon and Lindsay were raised to the rank of earls, and the general, Leslie—besides a large pecuniary remuneration—had also the title of earl of Leven conferred upon him. The greater part of the ecclesiastical revenues, which, on the suppression of the bishoprics, had reverted to the crown, was distributed among the chiefs who had opposed him; and the only persons passed over, were those who had been forward in his support, and Balmerino, a nobleman whom he had injured too deeply, ever to forgive. Arrangements were made for more regular and adequate support to the ministers; and Henderson, his chaplain, had the temporalities of the deanery of the chapel royal bestowed upon him. The universities had also some portions allotted to them; but still the church had to complain of the irregular payment of their moderate stipends, and that the seminaries of learning were not encouraged with a liberality proportioned to their importance.

Honours bestowed by the king.

LVI. Although subordinate in interest to the transactions of parliament, the proceedings of the general assembly—which sat at the same time, and which are, in general, passed over by our historians without remark—are far from being unworthy of notice; they are, in fact, necessary to be known, in order to trace accurately the progress of that pernicious intolerance, which, by attempting to enforce presbyterian uniformity over the whole island, was the source of so much mischief, and so many misfortunes to Scotland. It met first at St. Andrews; but as a number of the elders were members of parliament, it speedily adjourned to Edinburgh for their convenience; and the two councils so arranged their meetings—the ecclesiastical sitting in the fore, and the estates in the afternoon—that the business of both was carried on at the same time, without interfering with their mutual sederunts. The earl of Wemyss was commissioner, and delivered a gracious letter from the king, expressive of his in-

Proceedings of the assembly.

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tention to secure the constitution of the church, to support an efficient ministry, by appointing able men to fill the vacant charges within the patronage of the crown, and to provide for its continuance, by promoting every measure that tended to encourage learning in the schools and colleges; and in return, requested their prayers in his behalf, and their endeavours in inculcating upon their flocks the duty of paying him that honour and obedience, they owed him as God's vicegerent for good. In the warmth of their gratitude, the assembly replied, assuring his majesty of their prayers for his happiness, and of their exertions to preserve peace and tranquillity, that they might be an example to others in paying that honour, which by all laws, divine and human, is due to him; being confident that he would find, at his coming among them, more satisfaction and pleasure than they were able to express.

The answer.

LVII. From whatever cause—whether private animosity, or a real difference of sentiment—the variance between Henry Guthrie and the laird of Leckie, had rather increased since the Aberdeen Assembly; and as each endeavoured to strengthen his party, the dissension threatened to spread in the church. In Edinburgh, the dispute assumed a serious aspect; some contending for the right of private christians meeting together for the purposes of mutual exhortation without a minister being present, and the ministers insisting that by the act of Aberdeen, no private christian was authorized to explain the Scriptures, or exhort, except in his own house, and to the members of his own family. The former, which was considered as opening a door to independent sentiments, was espoused by several of the most pious of the ministers; the latter opinion was supported by a majority, especially of such as had struggled for the legal establishment of presbytery, and were afraid of whatever bore the name of innovation; but the whole were either convinced of the divine authority, or agreed in the practical expediency, of church courts; and were at that time, afraid of independency—more from having heard of, or witnessed the extravagancies committed by some under this name, than from any absolute conviction of the unscriptural nature of their tenets, as then pled for.

Dispute concerning private meetings resumed.

LVIII. A number of the most respectable citizens insisted upon the utility and propriety of private meetings, and required the repeal, or at least the explication of the act made at Aberdeen; and some of the over-zealous, imprudently expressed their dislike of the restraints of that act, in terms which highly displeased their pastors, who appear to have thought that they favoured the error—afterward very prevalent—of rejecting or undervaluing the office of a regular pastor in a christian church; and they, perhaps, on the other hand, might be apt to exalt too highly the sacred character, which, in their zeal to humble the ridiculous pretensions of indelibility claimed by popish and prelatical priests, some of themselves had, in the heat of controversy, treated with irreverent contempt.

The people favourable to them.

LIX. After a conference between the parties and several of the most eminent of the ecclesiastical commissioners in private, where the subjects were reasoned upon, and considered calmly, the matter was brought before the general assembly; and an act adopted, which guarded against the extremes on both sides, and for the time, set the controversy at rest. It ran thus:—"In order to prevent dishonouring the name of God before men, the assembly find it necessary to stir up themselves, and to provoke all others, both ministers and people of all degrees, not only to the religious exercises of public worship in the congregation, but of private worship in their families, and of every one by themselves apart; but also to the duties of mutual edification, instruction, admonition, exhorting one another to forwardness in religion, and comforting one another in whatsoever distress," "but because the best means have been, and may still be despised or abused, and particularly the duty of mutual edification, which hath been so little in use, and so few know how to perform in the right manner, may be, on the one part, subject to the working of ungodly men, who cannot endure in others, that which they are unwilling to practise themselves; and on the other, the many errors into which the godly, through their weakness, may fall, or by the craftiness of others, may be drawn into; such as error, heresy, schism, scandal, self-conceit, and despising of others; pressing above the common calling of christians,

Act of assembly regarding them.

BOOK IX. 1641.

and usurping that which is proper to the pastoral vocation idle and unprofitable questions, uncharitable censurings neglect of duties, meddling with other men's matters, and many similar errors in doctrine, charity, and manners; therefore, the assembly, earnestly desiring to promote the work of reformation, and to have the comfort and power of true godliness sensible to every soul, and religion to be universally practised in every family, charge all the ministers and members of this kirk, that, according to their several places and vocations, they endeavour to suppress the mocking of religious exercises, especially by those who cast foul aspersions, and factious or odious names upon the godly on the one hand; and on the other, that they be aware, lest, under the name or pretext of religious exercises, otherwise lawful and necessary, they fall into any of those abuses which occasion scandal, and are contrary to truth and peace; and presbyteries and synods are directed to take order with such as transgress in either respect." This act shows how anxious the church of Scotland was to preserve peace and harmony within its own bounds, and to promote real religion among its members; and at the same time gives toleration to, or rather, approbation to private meetings for exercise—as they were afterward called—while the superintendence, and oversight of the church courts, preserved them from degenerating into irregular, unwarranted assembling, calculated to supersede the decent and orderly public worship of the congregation.*

LX. While the assembly were alarmed at the appearance of independent principles among their people, they had their attention turned to a charge brought against some of themselves, by their presbyterian brethren in England. The labours of the Scottish ministers had been eminently successful in propagating presbyterian principles; and a number of ministers in the neighbourhood of London, wrote a letter to the assembly, congratulating them on their happy triumph, and expressing their expectation of also getting presbyterial discipline established; but they added, "Al-

* This act was drawn up by Henderson, and supported by Rutherford, Blair, Dickson, and Cant.

1641.

mighty God, having now, of his infinite goodness, raised up our hopes of removing the yoke of episcopacy, under which we have so long groaned, sundry other forms of church government, are by sundry sorts of men projected, to be set up in the room thereof, the chief of which is independency—a system which asserts that every separate congregation forms a complete church within itself, subject to the authoritative interference of no other; and possessing all the powers requisite for conducting the spiritual concerns of its members"—and they requested the opinion of the assembly, "as some famous and eminent brethren among yourselves, do somewhat incline unto an approbation of that way of government." The persons here alluded to, were Mr. D. Dickson, and Mr. Cant, who, because they favoured the practice of private meetings, which was considered as an incipient independency, had been looked upon as favouring the whole plan. But, upon the question being discussed, they expressed their approbation of their own form of church government, and their determination to support it in opposition to independency, as well as episcopacy.

Accused by the English of favouring independency.

LXI. All being agreed on this point, an answer was returned to their English brethren, in which the assembly expressed the tender interest they took in the situation of their sister "kirk;" their satisfaction at the approaching downfall of the hierarchy, and gave their unanimous voice in favour of presbytery; but consenting at the same time, to forbear with the independents. They hail, however, with gratulation, the dawn of conformity, and the prospect of an intimate and endearing connexion between the two churches. "We have learned by long experience, ever since the time of the reformation, and specially after the two kingdoms have been, in the great goodness of God to both, united under one head and monarch, but most of all, of late, which is not unknown to you, what danger and contagion in matters of kirk government, of divine worship and of doctrine, may come from one kirk to the other, which, beside all other reasons, make us pray to God, and to desire you, and all that love the honour of Christ, and the peace of these kirks

There answer.

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1641.

and kingdoms, heartily to endeavour, that there might be in both kirks, one confession, one directory for public worship one catechism, and one form of kirk government; and if the Lord, who hath done great things for us, shall be pleased to hearken unto our desires, and to accept of our endeavours, we shall not only have a sure foundation for a permanent peace, but shall be strong in God, against the rising and spreading of heresy and schism among ourselves, and of invasion from foraine enemies."

They desire uniformity in worship.

LXII. Situated as the church and kingdom of Scotland then was, a wish for uniformity in religion, was both natural and justifiable. That this could not be established upon episcopalianism was perfectly evident—and independency asked no aid from the civil power, and refused countenance from the state as an associated body; all they required in religious matters, was liberty to regulate themselves according to their conception of the word of God, and protection so long as they behaved as quiet and peaceable subjects; if, therefore, there was to be a state religion, authorized and supported by government, presbytery was the only one which presented itself to be established by parliament, and the only one which apparently offered a rational hope of uniformity. In recommending it to their English brethren, as the model for their ecclesiastical structure, the assembly acted in entire consistency with their principles and with their interest; for having suffered so much from the persecuting spirit of prelacy, it was impossible, in the nature of things, that they should not eagerly seize the first opportunity, to erect upon its ruin, a monument of their own triumph, and such a one as would promise to prevent its resurrection. These desires had been formerly expressed by the commissioners for the treaty, they were now repeated by the church; and had they been enforced by the only legitimate weapons in such warfare—argument and reason—had they never been pushed farther than in this assembly, the conduct of the presbyterians would have claimed our unqualified approbation; but they were destined to exemplify in their future proceeding, how dangerous it is to intrust any collective religious body with the direction of civil power; and what

Recommend presbytery as the model.

melancholy consequences may arise from good men pursuing a good object with the purest intentions, if by improper means.

LXIII. It should always be remembered, when we hear—from those who have never been at the trouble of examining the subject—tirades about the superficial learning of our Scottish divines, that the object of their most anxious solicitude was uniformly, and constantly, the promotion of literature in the country; and they offered in the assembly some suggestions, which it were well if the patrons of the present day would attend to, particularly the last. They were recommended to the consideration of parliament under three heads:—First, Because the good estate, both of the church and commonwealth, dependeth mainly from the flourishing of universities and colleges, as the seminaries of both, which cannot be expected, unless the poor means which they have be helped, and sufficient revenues be provided for them, and the same be well employed; therefore, that out of the rents of prelacies, collegiate, or chapter churches, or such like, a sufficient maintenance be provided for a competent number of professors, teachers, and bursars in all faculties, and especially in divinity; and for upholding, repairing, and enlarging the fabric of the colleges, furnishing libraries, and such like good uses in every university and college. Second, Next for keeping of good order, preventing and removing of abuses, and promoting of piety and learning, it is very needful and expedient, that there be a communion and correspondence kept betwixt all the universities and colleges; and therefore, that it be ordained that there be a meeting once every year, at such times and places as shall be agreed upon, of commissioners from every university and college, to consult and determine upon the common affairs, and whatsoever may concern them, for the ends above specified; and who also, or some of their number, may represent what shall be needful and expedient for the same effect, to parliaments and assemblies. And, lastly, that special care be had, that the places of professors of divinity in every university be filled with the *ablest* men, and best affected to the order and reformation of this kirk. The commotions which so soon after took place, prevented these-

Their desire to promote learning.

BOOK IX. 1611.

and a number of other excellent resolutions, from being ried into full effect; but they remain as honourable testi nies to the virtuous efforts of the church of Scotland, wh highest praise in her best time, was the attention she paid to the training of her youth, and the seminaries of e cation.*

* A committee was appointed at this assembly, to consider the state o remote parts of Scotland, the highlands, islands of Orkney, Zetland, an Hebrides, and to procure the settlement of ministers among them.

THE

HISTORY OF SCOTLAND.

Book X.

Charles I.—State of parties.—Design of the King in visiting Scotland.—Proceedings of the English Parliament.—Reception of the King in London.—He dismisses the Parliamentary guard.—The Remonstrance presented; his remarks upon it.—Lords and Commons disagree.—Riot in Westminster.—Commons impeach the Bishops.—The King impeaches Lord Kimbolton, Pym, Hampden, &c.—He leaves London.—Decisive Measures of the Parliament.—The King collects Troops at Windsor.—Scots offer their mediation.—Refused by the King; accepted by Parliament.—The King refuses to intrust Parliament with the Forts and Militia.—His unsuccessful attempt on Hull.—Demands of the Parliament.—His answer.—Royal Standard erected at Nottingham.—The King again refuses the offers of mediation by the Scots.—Proceedings of General Assembly.—The English invite them to send delegates to the Westminster Assembly.—Conservators of the peace convened.—They advise the Queen to be recalled.—The King refuses.—Declaration of the English Parliament to the Scots.—Counter Declaration of the King.—Mediation of the Scots at last accepted.—Retrospect of the previous Campaign.—Negotiations at Oxford.—The Scottish Commissioners arrive.—Their Conference with the King.—He rejects their mediation.—The Queen arrives.—Montrose advises the introduction of forces from Ireland.—Scottish Commissioners recalled.—The Estates meet.—Attempt to limit their proceedings.—Hamilton and Lanark leave the Meeting.—English Parliament accuse Morton and others of being incendiaries.—General Assembly.—English Commissioners arrive in Scotland.—Solemn League and Covenant.—Observations on it.—Sanctioned by the English Parliament.—Sworn at Edinburgh.—Plot for massacring the principal Covenanters.—The King makes a truce with the Irish Rebels.—Montrose joins the King.—Hamilton arrested.—Scottish army assembles on the borders.—Their Manifesto.—The King's reply.—The King sanctions Montrose's plan for reducing the Scots.—Origin of the Westminster Assembly.—Reception of the Scottish Commissioners.—Views of the parties composing the Assembly. 1641—1643.

1. At his departure from Scotland, Charles left a popular administration, and an apparently satisfied people. The church was settled upon a legal foundation; all the causes of complaint removed, and nothing seemed wanting but a pe-

BOOK X.

1641.

State of parties.

riod of internal tranquillity, to give stability to the new rangements. There were some asperities in the construct of the political machine, but these would have worn off in regular movements, had no external cause operated to range its operations. Yet, with all these fair appearan there existed a powerful counteracting agency in the rest spirit of the high royalists, who, encouraged by the ki watched for the reintroduction of all that had been abolish and in the anxious desires of the church to promote establishment of presbytery throughout the island:—the led to the impeachment of the English commons,* and other greatly contributed to the cordial co-operation of Scots with the English parliament.

II. There existed in the state, opposed to each other parties, the high royalists, or the abettors of unrestrai prerogative, and the friends to limited monarchy—the s porters of the constitution as now established; for howe much accused of republican principles, there is not the sm est proof that any of the factions ever contemplated, or wo have approved of a government without a hereditary ch or ever thought of any other family, than of that one, roots of whose genealogical tree were radiated among original laminæ of the nation, and hid in the obscurit their earliest records. At the head of the first were T quair, a man of a narrow, temporizing genius, and M trose, distinguished by bold, unprincipled ambition, but b in disgrace; and, from their situation, incapable of effect any thing for the king, except by intrigue. They had h ever promised, that they would procure the overturn of late acts; and being retained in his majesty's confide they destroyed any cordiality in the royal mind towards state of things as he left them, while they agitated the na by the dark rumours of change to which they gave r The chief men among the last, Argyle, Loudon, and Bal

Political leaders.

* The intrigues of the high royalist party, procured for the king that dence upon which he intended to proceed, in the impeachment of the En commons, and lord Kimbolton. Had this plot succeeded, the popular i would, most probably, have been crushed in England, and this would only been preparatory to the recall of every concession that had been grant Scotland.

rino, were not more distinguished for their steady affection to the cause of liberty, than for their abilities: Argyle was reputed the most acute, and Loudon the most eloquent of the Scots. Hamilton, from the extent of his property, possessed next to those the greatest influence; but he had been thrown involuntarily into the arms of the covenanters, and his trimming politics were ultimately disadvantageous both to his king and country. The church also was divided. The sincere, upright, conscientious presbyterians formed one class; they were men who preferred that form of ecclesiastical government, because they thought it most consonant to the scriptures, and most conducive to the best interests of religion, yet would have borne, had they followed the dictates of their own minds, with those whom they esteemed truly pious, in minor matters of church order and discipline. Among them were numbered the most venerable names of the age, Rutherford, Blair, Gillespie, and Cant.* Baillie trimmed with them, as Hamilton did with the statesmen. The others were the political presbyterians, who were the most furious for forms, but less careful about practical piety; and though they fought for the bulwarks of the Scottish Zion, were little anxious about beautifying her palaces. The most forward amongst them were Guthrie, Dalgleish, and Colville, &c. The former were afterwards martyrs, the latter bishops, when times altered. These, however, acted together at present, and the moderates† predominated, the others submitting for the sake of peace—as they supposed—to measures of which they did not altogether approve; but for which the pretexts were specious, and urged with zeal. The papists and episcopalians were a nerveless minority.

Ecclesiastical.

III. Two objects are mentioned, as having been in the king's view, in his late journey to Scotland. First, to conciliate the Scots by his concessions; so that if he could not obtain their assistance, he might secure their neutrality in the ensuing conflict, which he thus early either meditated or

* They were afterwards carried away by the more violent; but the history of their change of sentiment belongs to ecclesiastical story.

† Such was the name that party assumed to themselves, when persecuting the Brownists. Guthrie's Memoirs, p. 89.

BOOK X.

1641. Design of Charles in visiting Scotland.

foresaw; and next, that he might obtain such informatic as would enable him to impeach the leading men in Englan as accessory to the introduction of a foreign force into t country. In his primary design he had so far succeeded to cause a reflux in the ebbing tide of Scottish loyalty, a might, perhaps, have ultimately, in a great degree, if r wholly, accomplished it, had he not delivered himself up t much to the guidance of the high royalists, who hurri him into measures incompatible with his previous purpo By the plot of the Incident, they checked in the bud t returning confidence of the covenanting chiefs so severe that all the sunshine of royal favour was not able aft ward to restore it; for although an outward reconciliati had taken place, they never forgot the attempt, and Mo trose, who was now fairly committed with his earlier frien betrayed their secrets to the king, and furnished him wi the information he so much desired, respecting their co nexion with the English lords; a circumstance which is ju ly considered as among the immediate causes of the civil w in England, as the proceedings against Balmerino were Scotland.

IV. Perhaps Britain never saw such an assemblage of i tegrity and ability, as sat in the long parliament, and t leaders were too clear-sighted, not to perceive the advantag which nourishing the hopes of uniformity in church gover ment, would procure from Scotland; we shall according find, that the very first proceedings of the English parl ment, after the king's return, were directed to secure the fection of the Scottish ministers, while they never for a m ment intermitted in their vigilant co-operation with the Sc tish nobles, to paralyze the efforts of the high royalists.

Proceedings of the English parliament.

the house of commons, as already noticed, "the Incider had made a deep impression; the principal men saw in i spirit of vindictiveness, which survived treaties of pacific tion and acts of oblivion, and which the obvious interests Charles himself, to stand well with the Scottish nobl had not been able to subdue. There was obviously no tr son, of which Hamilton or Argyle could be accused sin the negotiation; it must have been before, and it could c ly consist in their correspondence with the English, or

some way refer to the late disturbance. Their safety had been secured by their flight, and the interposition of the estates; it was therefore necessary for those who were conscious of being liable to similar, or stronger charges in England, to anticipate such an event; and provide against it, by putting the king himself upon his defence. This, which was not obscurely hinted in the instructions to the commissioners in Scotland, was plainly brought forward in the remonstrance which followed.

The remonstrance.

v. In that celebrated exposé, a terrific picture was drawn of the state of the nation; all the grievances of the people were exhibited in the strongest colours; every act of misgovernment, from the commencement of the reign till that period, distinctly detailed; every misfortune minutely enumerated, and the whole ascribed to the evil counsellors by whom the king was surrounded, and whom he was unwilling to dismiss. The removal of these ministers, and the appointment of others possessed of the confidence of parliament, were pointed out, as the means for ensuring the happiness, wealth and prosperity of the country at home, and its respectability abroad. The example of the Scots, who had obtained the parliamentary nomination of the high officers of state, as well as the imperious necessity of guarding against the vengeance of the crown, pointed out this encroachment on the royal prerogative—as a temporary measure at least—without which all the others would be nugatory; for were parliament to dissolve without such a security, it was not hazarding much to prognosticate that the members who had opposed the royal will in this, would suffer as those who had in similar circumstances, on former occasions, been imprisoned and fined for their senatorial contumacy.

vi. So firmly impressed were the popular leaders with their own danger, and with the little reliance that could be placed upon the king, that numbers of them had resolved to leave the country, if they did not attain their end; as the well known declaration of Oliver Cromwell to lord Falkland, the day after the remonstrance was voted, sufficiently evinces. "Had it not been carried," said the future ruler of the three kingdoms, "I would have sold all that I have, and gone to America;" and he added, he knew there were

BOOK X.

1641. Carried by the popular party.

many other honest men of the same persuasion. But so certain were they of carrying it, that they scarcely anticipated any opposition. The other party, however, were convinced, that on this question turned the fate of the country. The king, they knew, would never accede to what at once destroyed all his projected schemes of arbitrary power, and personal revenge; they therefore strained every nerve to obstruct the passing of this remonstrance, and after an animated debate of fourteen hours, it only passed by a majority of eleven. A motion for printing it was subsequently carried by a majority of twenty-three, and that was met by the proposal of a protestation, which occasioned such warm contention, that the prudence and calmness of Hampden alone prevented "horrid bloodshed."

VII. Before the agitation to which this important question had given rise was stilled, Charles arrived in the capital from Scotland. On the road he was received with every outward demonstration of joy; and his public entry into London, was conducted with the noblest magnificence. The mayor, sir Richard Gurney, who was knighted on the occasion, accompanied by the sheriffs, aldermen, and common council, received him in their robes, and conducted him in grand procession, from Bishopsgate, through Cornhill and Cheapside, to Guildhall—the conduits running claret wine the while—where he was entertained with a royal banquet, served by the citizens in their gowns, and the hoods of the livery of their company. After dinner, which, according to the good custom of these days, was concluded by 4 o'clock, the royal cavalcade proceeded through Fleet Street and the Strand, to Whitehall; the houses on each side hung with tapestry, and the windows crowded with spectators, who made the air ring with acclamations! On taking leave, his majesty desired the lord mayor to thank the whole city, in his name, for their loyal and affectionate behaviour; and in return, he was earnestly petitioned, that he would make Whitehall his residence during the winter, and overlook the late disorders at Westminster, which they assured him, had not originated with any of the better sort of the citizens. The king was highly gratified with the show of affection the citizens manifested. He forgot—although in his own person destined to

Reception of the king in London.

exemplify the remark—that popular applause was the most fickle and faithless of all human possessions; and, trusting to the flattering expressions of the magistrates, he began to entertain hopes, that the city of London would enable him to contend with the parliament; he therefore promised frankly, that he would spend his Christmas at Whitehall, and desired the recorder to join with him, in preventing a recurrence of riot or disorder.*

VIII. As the earl of Essex's commission of captain-general had expired on the king's return, he delivered it into his majesty's hands, and intimated to the house of lords, that he no longer commanded. On receiving his resignation, the lord keeper was sent for by the king, and ordered to acquaint parliament that he had dismissed the guard appointed to protect them in his absence, as he hoped that now his presence would be a sufficient protection; but if there should be any occasion, and his majesty see reason for it, he would be ready to take care and provide for their security. In answer to this message, a petition was returned in the name of both houses, praying that the guards might still be continued, till they should satisfy his majesty of the necessity Next day, the king sent a message in reply, telling them, "That he had commanded the guards to be dismissed, because he knew no cause they had of fear; and because it was a great trouble to his subjects that were to perform that service, besides disquieting the people with strange apprehensions and jealousies; and that his majesty expects, when the parliament shall require any thing extraordinary, as this is, they should give particular reasons for it; yet his majesty is so tender of the parliament's safety, that he will command the earl of Dorset to appoint some of the trainbands, only for a few days, to wait on both houses; and, if in that time he shall be satisfied there is just reason, shall continue them; and likewise shall take such a course for the safety of his own person, as shall be fit, of which his majesty doubts not but they will be as careful as of their own."

He dismisses the guard of parliament.

They request its continuance.

His reply.

IX. The reasons assigned by the commons, for desiring a

* May's Breviary, p. 53.

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Their reasons for its continuance.

continuance of the guard, show how intimately they considered their own interest and fate connected with the proceedings in Scotland; they were—the number of suspicious, and desperate characters lurking about Westminster; the jealousy excited upon the discovery of a design in Scotland, to surprise several of the nobility, members of the parliament there, which had been mentioned in London several days before it broke out, and a surmise given, that something similar would be attempted against themselves; the declaration of some of the chiefs of the Irish rebellion that the same plan was to be pursued in England and Scotland; advices from beyond seas, that there would be great alteration in religion shortly in these kingdoms, and that the necks of both the parliaments in England and Scotland should be broken; and the threatening speeches, and secret meetings of the papists in several parts of the kingdom. But the remonstrance was the most unequivocal expression of their sentiments, and immediately after this communing about the guard, a committee was appointed to present it, together with a petition to the king.

The remonstrance presented.

x. His majesty, on hearing the petition, when the reader came to a passage, representing a malignant party about his person, as entertaining the design of introducing a change of religion, his majesty, with hearty fervency said, "The devil take him, whosoever he be, that has a design to change religion,"* a remark, however, which might apply two ways; as the commons prayed that the bishops should be deprived of their vote in parliament, and their immoderate power usurped over the clergy, abridged. They had also requested, that he would not alienate any of the lands which might be forfeited in Ireland, on account of the rebellion; but reserve them for the better support of the crown, and to afford some indemnification to the people of England for the heavy expense likely to be incurred in suppressing it. On this he remarked, "We must not dispose of the bear's skin, till the bear be dead," an observation, which, contrasted with his eagerness to offer the estates of the Scottish nobles, as re-

His remarks upon it.

* Sir Ralph Hopton's report to the House of Commons.

wards to those who should desert the cause of the covenant, operated as an additional confirmation, that he encouraged the insurrection.

XI. Without waiting for any communication from the king, parliament, on the first news of the rebellion, resolved to borrow money, raise troops, and send arms to the Irish government; and when the message arrived from Charles respecting it, a bill was immediately introduced, for pressing men for the service; but the bill was delayed in the house of lords, and the mutual distrust between the commons and the king—who each endeavoured to obtain the command of the army, by retaining the nomination of the officers—prevented any speedy succours from being sent to the afflicted protestants of that island. But, as every day brought some new tale of horror, and the Scots had sent commissioners to concert measures with the English for forwarding a sufficient force, Charles called upon parliament, to hasten their preparations in conjunction with them. In consequence, it was voted by the house of commons, that the offer of the Scots to raise ten thousand men, should be accepted; but the house of lords would not consent, unless an equal number of English troops were employed; alleging as a reason, the danger lest the Scots might appropriate the island to themselves.

Proceedings respecting assisting the Irish protestants.

XII. The commons, whose measures, in several important instances, had been retarded or thwarted by the lords, had for some time felt, that until they could procure a majority in that house, their own power rested but upon an insecure base; and therefore early in the month of December, appointed a committee to prepare heads for a conference with the lords, to acquaint them with what bills had been passed in their house and sent up to their lordships, which, although they much concerned the safety of the kingdom, had not received their consent; and that the house being the representative body of the whole kingdom, and their lordships being but as particular persons, and coming to parliament in a particular capacity, that if they shall not be pleased to consent to the passing of these acts, and others necessary for the preservation and safety of the kingdom, that then this house, together with such of the lords as are more sensible of the

Disagreement between the lords and commons.

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safety of the kingdom, may join together, and represent the same to his majesty.

XIII. The standing majority, upon whom the court could depend, and who were on every account the more obnoxious to the commons, consisted of the lords spiritual. These they had upon various occasions, endeavoured to get sequestrated from the house of lords, and the voice of the metropolis at least, if not the nation, now seconded their wishes; but the king, and the bishops themselves, were the immediate cause of their obtaining their desire. A tumultuous assemblage of citizens collected at Westminster, had raised the cry of, no bishops! but when Williams, archbishop of York, with the earl of Dover made their appearance on their way to the house of lords, a temporary pause took place in the exclamations, one youth alone interrupting the respectful, or accidental silence. Instead of meekly disregarding—as a Christian prelate should have done—this impertinent reviler, Williams stepped aside to seize him, when the populace interfering, as is usual in such cases, hemmed in his lordship, and all with one voice loudly roared out,—no bishops! But after having regaled his ears for a short space, they suffered him quietly to proceed. Some cavaliers, however, or discarded officers, retained in the king's service, who were walking near, indignant at the rudeness of the crowd, still more foolishly attacked the roundheads* with drawn swords; and whether in consequence of this, or of previous irritation, or of new offence, the city of London and Westminster became a scene of uproar and confusion.

Riot in Westminster

XIV. Some of the bishops, who were trembling for their order, as a bill for abolishing episcopacy was in dependance, seized this occasion for preventing the evils they dreaded; and affecting to fear that their persons were in danger, and that they could not attend their duty in parliament with safety, protested against all acts which might pass during the time of their forced and violent absence. This protestation, so similar to that of the Scottish prelates, and, like it, seen and approved of by Charles before it was presented, was indubitably intended to answer a similar purpose, and was fol-

Bishops leave the parliament.

* Roundhead, a name imposed on account of their having their hair cropped.

lowed by a similar effect. His majesty was now heartily tired of his parliament, and as he possessed no means of dissolving it without its own consent, he encouraged this attempt to destroy it, by means of itself; for could the secession and protestation of the spiritual lords have rendered null the proceedings of the upper house, all business must have been at a stand, and the commons of necessity dissolved. Perhaps this protest might be legal, it certainly was enormously imprudent. When communicated to the commons, an impeachment of high treason was sent up against all that had signed it, who were immediately sequestrated from parliament, and committed to custody; the only difference of opinion about their conduct being, whether they should not rather be sent to bedlam than the Tower.

The commons impeach them.

xv. Suspicious of force being next resorted to, to procure a dissolution, the house of commons petitioned the king for a guard from among the citizens of London, to be intrusted to the earl of Essex, as there had been several attempts to bring destruction upon their whole body at once; and menaces thrown out against particular persons, from a malignant party, bitterly envenomed against them, daily gathering strength and confidence, and who were arrived at such a height, as to embolden some to imbrue their hands in the blood of the subjects, in the face, and at the doors of parliament; and at the king's own gates had dared to utter threats against them. Three days after, his majesty returned an answer, in which he protested before Almighty God, that had he any knowledge or belief of the least design in any, of violence, either formerly, or at that time, against them, he would pursue such to condign punishment, with the same severity and detestation, that he would do to the greatest attempt upon his crown; and engaged solemnly, upon the word of a king, that the security of all, and every one of them, from violence, was, and ever should be as much his care, as the preservation of himself, and his children. On the same day, he ordered Herbert, attorney-general, to enter an accusation of high treason in the house of peers, against lord Kimbolton, son of the earl of Manchester, and five of the leading members of the house of commons—Pym, Hampden, Hollis, Hazlerig, and Strode—of which, one of

They desire a guard.

The king's answer to their request.

Impeaches Lord Kimbolton and five members of the house of commons.

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the principal charges, was their having traitorously invited and encouraged a foreign power, to invade his majesty's kingdom of England. A sergeant at arms, was sent to require the persons of the commoners. To this demand, the speaker replied, an answer should be returned as soon as the great importance of the business would permit. Irritated at their hesitation, the king determined to go in person and arrest the obnoxious members; and next day, accompanied by his courtiers, and attended by a train of about five hundred armed men, he proceeded to the house; but the five members had withdrawn, and the king reaped only disappointment, from a rash and ill-advised measure, productive of the most fatal and irretrievable mischief. The day after, he ordered the lord mayor to call a common council at Guildhall, which he himself attended, and with equally little success, required from them the arrest of the fugitives, who he heard had sought refuge in the city.

Proceeds in person to arrest the commoners.

XVI. The king's conduct on this occasion, formed an exact counterpart of what had taken place in Scotland during the Incident, and both have been traced to the same source —chagrin at the concessions he had been forced to make, and a desire to re-establish his authority on the ruin of parliament. The materials upon which the accusation was founded, had been collected during the late visit, and the principal part furnished by Montrose. The actions were equally precipitate and inconsiderate; only the last was the more flagrant outrage of the two, and furnished a more open display of the violent and unconstitutional methods to which he would have recourse to support his pretensions; it was a more undisguised, and a more clearly detected plot against the rights and privileges of parliament, and one which is more fully substantiated—for the record remains, and the evidence no apology can explain away;* and it was a breach of faith,

Observations.

* Besides the evidence of very outrageous language having been used by the armed attendants of the king, expressive of their desires to inflict vengeance on the commons, it was discovered that on the day the king went to parliament, one hundred stand of arms, two barrels of gunpowder, with match and shot, had been sent from the Tower to Whitehall. Rush. vol. iv. p. 474.

which set at defiance the most solemn obligations, and precluded every idea of safety, while the king retained power.

XVII. In the treaty with the Scots, it had been expressly stipulated, "that an act of oblivion should be made in the parliaments of all the three kingdoms, for burying in forgetfulness acts of hostility, whether between the king and his subjects, or between subject and subject, or which may be conceived to arise upon the coming of any English army against Scotland, or coming of the Scottish army into England; or upon any action, attempt, assistance, counsel, or advice, having relation thereunto, and falling out by the occasion of the late troubles, preceding the conclusion of the treaty, and the return of the Scottish army into Scotland; that the same, and whatsoever hath ensued thereupon, whether trenching upon the laws and liberties of the church and kingdom, or upon his majesty's honour and authority, in no time hereafter, may be called in question, nor recited as a wrong, national or personal, whatsoever be the quality of the person or persons, or of whatever kind or degree, civil or criminal, the injury is supposed to be; and that no mention be made thereof, in time coming, neither in judgment, nor out of judgment, but that it shall be held and reputed, as though never any such thing had been thought or wrought." Words could not more strongly convey a complete indemnity for all that was past, and if in the face of this agreement, solemnly ratified, a charge of treason could be brought forward against any person, for any action connected with the Scottish war, what compact or treaty could ever after be considered binding? This proceeding a violation of the act of oblivion.

XVIII. There had been symptoms of returning affection for the king; and as the majority of a nation, unless some strong incitement be constantly applied, soon revert to old habits, and in settled governments, are disposed to rest satisfied, when the more pressing of their grievances are removed; the monarchial principle in the state, although it might not have regained all its former influence, would probably have acquired an ascendency, and enabled the king, had he acted with caution, to recall a number of the concessions extorted from him; but deceived by appearances, Charles prematurely attempted to grasp, what time and dissimulation might

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have enabled him to accomplish. The commons with greater ability, turned the abortive attempt to destroy them, against himself, they raised the cry of breach of privilege, and, actuated either by real or political terror, after voting an address to the king, to procure a guard, in which they could confide, and appointing a committee to meet at Guildhall, adjourned. The city immediately caught the alarm, which they expressed in a petition to the throne, and the whole country became agitated by this attack upon the privileges of parliament. Notwithstanding, however, all this appearance of discontent, the king persisted in his measures against the accused members and issued a proclamation for their apprehension. Two days after, [January 11th, 1642,] discomfited and enraged, he left Whitehall, with the intention of never again entering it, but as a conqueror*—he returned a captive!

Charles leaves London.

xix. On the day after the king's departure, the parliament met, and the impeached members proceeded in triumph by water, to resume their seats; a number of armed boats accompanied them as a guard, while the river was covered with the smaller barges of the citizens, who attended in their train. Major-general Skippon marched at the head of some bodies of trainbands, as a guard by land, for the other members. Their first, and most important object of deliberation, was the state of the country. They had received information of the king's hostile intentions, and of lord Digby and colonel Lansford's warlike appearance before Kingston, in Surry, where the chief magazine for that part of the country was deposited; and, in consequence, ordered the sheriffs of the several counties, to call out the trainbands, and secure their magazines. An order was, at the same time, sent to colonel Goring, governor of Portsmouth, requiring him not

Impeached members resume their seats.

Measures of parliament.

* That Charles had fully resolved upon resorting to war, and left the capital, not to muse over his misfortunes, or lament his misconduct, but to meditate upon plans of coercion and revenge, is, I think, satisfactorily established by Mr. Brodie. History of the British Empire, vol. iii. p. 237, et seq. But the facts are so plain, it is astonishing this should ever have been matter of doubt. Mr. B.'s work, is a valuable performance for those who wish to become fairly acquainted with the period of British History of which he writes, his detections of Hume's mistatements, are particularly worthy of attention.

to deliver up the town, nor receive any forces into it, without the authority of parliament. Hull, where arms and ammunition for sixteen thousand men were desposited, was a place of too great importance to be overlooked. Sir John Hotham and his son, were, therefore, instantly sent thither, to take possession, and keep it, under restrictions the same as the governor of Portsmouth. The lieutenant of the Tower, and his deputies, were prohibited from sending, or allowing any ordnance or ammunition to be carried out, unless with the king's authority, signified by both houses of parliament; and, as sir John Byron, the governor, was a suspected character, a guard, both by land and water, was set upon it. On the other hand, the king was drawing around him, or endeavouring to attach to his service, the disbanded officers; and, at Windsor—to which he had returned—he was assembling troops, and providing ammunition.

Charles collects troops at Windsor.

xx. Connected as the Scots were with England, it was impossible for them to remain neutral spectators of the passing events. Their commission, who saw affairs hastening to a crisis between the king and parliament, presented a petition or representation, to his majesty, assuring him of the grief with which they beheld distractions increasing between him and his people,—which they attributed to the plots of papists, prelates, and their adherents—and of the obligations under which they were laid by their treaty, to promote a right understanding between them, as well as to confirm that brotherly affection between the two nations; and proffered their services for removing all jealousies or mistakes which had arisen between his majesty and the kingdom of England, and besought him to have recourse to the sound and faithful advice of the honourable houses of parliament, and to repose thereupon, as the only assured and happy means of establishing the prosperity and quiet of this kingdom; and entreated him, in the depth of his royal wisdom, to consider and prevent those apprehensions of fear which may possess the hearts of his subjects in his other kingdoms, if they should conceive the authority of parliament, and the rights and liberties of the subjects here to be called in question. At the same time they offered their mediation to both houses of parliament. Their negotiations respecting the Irish af-

Representation of the Scots to the king;

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fairs, they said, having been so interrupted by the emergen distractions, had led them to consider the obligations the were under to his majesty, for the great and recent favour bestowed upon the kingdom of Scotland at his last visit, an his settling the troubles there; the mutual interest of th kingdoms, in the welfare and prosperity of each other, an the gratitude they owed to the parliament of England, fo their assistance given to the kingdom of Scotland, in settlin the troubles thereof; wherein, next to the providence o God, and the king's majesty's justice and goodness, the acknowledged themselves most beholden to the mediatio and brotherly kindness of the kingdom of England; they therefore, in the name of the parliament and kingdom o Scotland, acknowledging the kindness of the parliament o England, especially in condescending to the king's majesty' coming to Scotland, in the midst of their great affairs "Whereof," say they, "we have tasted the sweet and com fortable fruits, and do heartily wish the like happiness t this kingdom; and, as we are heartily sorry to find ou hopes deferred by the present distractions, growing daily here to a greater height, and out of sense thereof, have ta ken the boldness to send our humble and faithful advice t the king's most excellent majesty for remedying the same, to the just satisfaction of his people; so, out of our duty t his majesty, and to testify our brotherly affection to thi kingdom, and acquit ourselves of the trust imposed upon us, we do most earnestly beseech the most honourable houses, in the depth of their wisdoms, to think timeously, upon the fairest and fittest ways of composing all present differences, to the glory of God, the good of the church, and state of both kingdoms, and to his majesty's honour and content ment; wherein, if our faithful endeavours may be any way useful, we shall be most ready, at all occasions, to contribute the same."

To parliament.

Offer their mediation.

xxi. The plan pointed out by the Scottish commissioners, which had succeeded in Scotland, and which was the only way left for preventing a civil war in England, did not meet either the king's politics or inclination, his intention was not to rule by, but to rule without a parliament; and he indignantly ordered the earl of Lanark, the secretary, to re-

Answer of the king.

pair to the commissioners, and let them know, that he expected, before they should have interested themselves in any manner of way, betwixt him and the parliament of England, they would have acquainted him with their resolution, in private; and that for the time coming, he hoped, from the respect due by them to him, and in order to avoid mistakes or disputes, they would in no way engage themselves in these present differences, without first communicating to him in private; by which means, all jealousies and suspicions might be removed, and they better enabled to do him service. To their communication to parliament, a courteous answer was returned, thanking them for the advice they had given to his majesty, and assuring them, they were much satisfied with that proof of their fidelity to the king, and affection to the state; that what they had done was very acceptable to them, and hoped they would continue their care and endeavours to remove the present distractions, as also, to confirm and preserve the union between the two nations.

Of the parliament.

XXII. Soon after, the Scottish commissioners made a proposal for sending two thousand five hundred auxiliaries to Ireland, which was accepted by both houses; but the king, probably from dissatisfaction at their proffered mediation, or jealous of their too close union with the English, objected to their obtaining and garrisoning the town of Carrickfergus, which he alleged, was too great a trust to be committed to an auxiliary; but, at length, rather than alone incur the odium of resisting the only efficient method which had been adopted for the relief of the suffering protestants, and confirm the reports which were universally spread, and generally believed, of his abetting the insurgents, he gave his reluctant consent, and orders were transmitted to Scotland, to complete the arrangement.

Offers by the Scots of assistance to the Irish accepted.

XXIII. The prompt measures of parliament, having frustrated the king's design of seizing the principal fortresses of the country, or obtaining the means for organizing an army, it was determined that the queen, under pretence of carrying the lady Mary to her husband, the prince of Orange—to whom, though quite a child, she had been some time married—should proceed to Holland, to solicit foreign assistance, and raise as much money as she could upon the crown

The queen leaves for Holland.

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jewels. In the mean time, Charles was to attempt amusin the parliament with hollow compliances, and insincere negt tiations; but the numerous petitions presented from ever quarter, encouraged parliament to still stronger measure and the conduct of the king, with whose most secret counci the leaders of the commons were well acquainted, pointe out their propriety.

XXIV. They had passed a vote, that the kingdom shoul be put in a state of security; and the king sent a messag requiring them to present to him, in one complete view, al the causes of alarm, and of the measures that were necessary to remove them. This, which was evidently meant to creat delay, was answered by a petition from the lower house, tha urged on the crisis; they returned to his majesty their most humble thanks for his gracious communication, which they resolved to take into immediate consideration; but as a pre liminary, and to enable them to do so with security, they de sired the peers to join with them, in humbly beseeching his sacred majesty to raise up unto them a sure ground of safe ty and confidence, by putting the Tower, and principal fort of the kingdom, and the whole militia, into the hands of such persons as parliament might confide in, and as should be recommended by both houses. The lords, however, having refused to join in the petition, the commons requested tha the forts and the militia, might be intrusted to persons re commended by themselves. In the interchange of petition and replies that followed—the lords having afterwards acced ed—the commons undeviatingly pressed their request; and the king, in able and specious papers—for which he got th credit, but which Hyde, afterwards Clarendon, in reality drew up, and he only transcribed*—apparently complied, o artfully evaded their desire; till at last, when the question was directly put to him by the earl of Pembroke—Whether the militia might not be granted for a limited time? he un guardedly threw off the mask, and declared, "No! by God not for an hour! You have asked that of me, was never ask ed of any king, and with which I will not trust my wife and children." With respect to Ireland, he at the same time

Parliament demands the forts and the militia.

The king refuses.

* Clarendon's Life, vide Brodie, Hist. vol. iii. p. 317.

observed, "the business will never be done in the way that you are in; four hundred will never do that work, it must be put into the hands of one. If I were trusted with it, I would pawn my head to end that work, and, though I am a beggar myself, yet—speaking with a strong asseveration—I can find money for that."*

xxv. If the king had been sincere in his declarations, and had consented to intrust parliament with the militia for a limited time, as there would have been no pretext for using it against him, it is clear the concession would have been much more advantageous to himself than to them; it would have given an air of consistency and truth to all his professions, and thrown discredit on the just fears and suspicions of the commons. But hostilities had been already determined on; and the king was meditating the seizure of Hull, which would have allowed him to assume a warlike and commanding attitude, till the negotiations of the queen on the continent, enabled him to commence active operations. He had, previously to his leaving Whitehall, attempted to gain possession of this important depot, by means of the earl of Newcastle; he now expected better success from an attempt in person. Sir John Hotham, who was appointed governor by parliament, was supposed partial to the royal interest; and Charles, reckoning upon gaining him wholly over, advanced with an armed train, having sent a message before him, that he intended to dine with the governor, and requiring that provision should be made for himself and attendants. Hotham, however, contrary to the royal expectation, respectfully declined the honour; and when the king, notwithstanding, approached the town, he found the drawbridges raised, and the garrison arrayed for defence. On demanding admittance, the governor, with many protestations of loyalty, pleaded his duty, and the orders of parliament against admitting any armed force; but offered to receive with welcome, his majesty, the prince, and any twelve of his retainers. With this invitation, the king would not condescend to comply, and after fruitlessly waiting before the gate, from eleven o'clock in the morning till five in the afternoon, he

Determines on war.

Disappointed in obtaining possession of Hull.

* Rushworth, vol. iv. p. 533.

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commanded sir John to be proclaimed a traitor, by two h ralds at arms, and retired to Beverly, whence, next day, removed to York.

xxvi. Negotiations between him and the parliament w still continued; he, in the most solemn manner, protesti that he had no intention of resorting to force, or doing a thing to endanger the peace of the kingdom, while he w straining every nerve to hasten his preparations; and th rising in their demands for some additional security, every fresh failure of his enterprises demonstrated the h pocrisy and entire worthlessness of his professions. In t month of May, the commons voted, that it appeared th the king, seduced by wicked counsels, intended to ma war upon parliament; that whenever he did so, it would a breach of the trust reposed in him by his people, co trary to his oath, and tending to the dissolution of the g vernment; and that whosoever should serve or assist hi would be traitors by the fundamental laws of the kingdo and immediately after transmitted a petition to his majest requesting him to disband the horse and foot he had ra ed, under the pretence of a guard to his person. Charl declared, that God knew his heart abhorred the intenti of making war; but on the 2d June, a small frigate, freigh ed with ordnance, small arms, and ammunition, arrivi from Holland, evinced the truth of his asseverations, a enabled him to complete his preparations for besiegi Hull, which he early next month carried into effect. this attempt he had relied upon the co-operation of t fleet, but the affections of the sailors were alienated; t earl of Warwick, appointed admiral by parliament, was command; and his majesty, when he had advanced with a few miles of the place, with an army of three thousa foot, and a thousand horse, disappointed of naval ass tance, on finding the town prepared for a vigorous defen retired.

Warlike vote of the commons.

Petition the king to disband his army.

Instead he again attempts Hull.

xxvii. In the midst of their preparations for war, the pa liament sent nineteen propositions to the king, his accedi to which might still have prevented the effusion of bloo They were similar in import to the concessions which h been granted to the Scots. Besides the long contested poi

Demands of the English parliament.

of nominating the commanders of the forts and the militia, the privy counsellors and great officers of state, were only to be appointed with the approbation of both houses; and the judges, who were to be responsible to parliament, were to have their patents *quamdiu se bene gesserint;* a reformation of the church government and liturgy, such as the parliament, assisted by a consultation with divines, should advise, was desired, in which the king should contribute his best assistance, in raising a sufficient maintenance for preaching ministers throughout the kingdom, and consent to laws for taking away innovations, superstition, pluralities, and against scandalous ministers; and it was required, that delinquents should be given up to justice. These proposals were received by the king with indignation. "Should I grant these demands," said he, "I may have my hands kissed, I may be waited on bareheaded, the title of majesty may be continued, the king's authority, signified by both houses, may still be the style of your commands, I may have swords and maces carried before me, and please myself with the sight of a crown and sceptre—though even these would not long flourish, when the stock upon which they grew was dead—but as to true and real power, I should remain but the outside, but the picture, but the sign of a king." The king's answer.

XXVIII. Both parties now openly prepared for war. Proclamations were published by the king, and declarations by the parliament; the first issued commissions of array, which were met by the other with the militia ordinance. The funds for carrying it on, were furnished liberally by the nobility to Charles, the universal zeal of the people, seconded, and almost anticipated the calls of their representatives. Neither of them respected the supplies appropriated to the relief of Ireland; but his majesty seized for his own use, the provisions, military stores, waggons, and carriage horses, while the parliament only borrowed a fourth of the sum voted for that service. The first blood was shed at the siege of Hull, and on the 25th of August, 1642, the royal standard was raised at Nottingham. A gloomy sadness covered the whole town, when this portentous signal was erected; and the hearts of the royalists were filled with dismal forebodings, Preparations for war. Royal standard erected at Nottingham.

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as a furious tempest that same night laid it prostrate, and prevented its being again reared for several days.*

XXIX. Every step that was taken in England, was viewed with the most intense interest in Scotland. Proceedings so similar to what had agitated their own country, would always have engaged their attention, even although the crowns had been separate; but when involving the fate of their own newly acquired liberties, and when the same monarch, whom they had detected and defeated in his insidious or open attempts against themselves, was playing the same game with their neighbours, they became more immediate objects of concern; the universal opinion was, that if the king obtained his purpose, he would not observe what he had already granted them so unwillingly, but would seize the first opportunity of annulling their constitution, both in church and state, and wreaking his vengeance on those who had been chiefly instrumental in procuring its establishment.† They had already made an unsuccessful attempt at mediation by their commissioners, and in May, the chancellor was sent up by the council to his majesty at York, to renew the offer; but he found the king altogether indisposed for hearkening to any conciliatory advice, and instead of being employed in the object of his mission, he was ordered to return to Scotland, to represent to the privy council, all the insults and injuries his majesty had received from his English parliament, the encroachments they had made on his just and legal prerogative, and require them to send, by commissioners to that body, a declaration of the sense they entertained of the wrongs done him.

Scots' renewed offer of mediation rejected by the king.

XXX. At Loudon's return, a privy council was summoned, to which a number of the nobility, who were considered as most strongly attached to the king's party, were specially invited. The English parliament, who were afraid of the effect that the *ex parte* statements of Charles might have on his Scottish council, procured that Warriston should be sent home, to communicate to them how matters really stood; and represent the necessity as well as equity of their pro-

* Clarendon's Hist. vol. ii. p. 720. Rushworth, vol. iv. p. 782, dates it the 22d.

† Burnet's Memoirs, p. 196. May's Breviary, p. 84.

ceedings. Upon this meeting of council all eyes were turned. Kinnoul, Roxburgh, and the friends of the court, known then by the name of banders, having resorted to the capital, accompanied by numerous vassals, occasioned suspicions that some improper design was in agitation against Argyle, who was but slenderly attended. In consequence, the gentry of Fife and the Lothians hastened to Edinburgh with their retainers, and effectually prevented any attempt. The high royalists, who had expected to carry a strong motion in the council against the English parliament, finding an opposition they had not reckoned upon, let it drop; and a petition, numerously signed, and presented by the ministers, praying that nothing should be enacted prejudicial to the work of reformation, and the treaty of union between the two nations, having been favourably received, the king's pleasure was signified, that the council should not interfere at all in the business.*

Meeting of the privy council.

XXXI. The marquis of Hamilton, who arrived at York soon after the departure of the earl of Loudon, likewise attempted to effect a reconciliation between the king and the parliament; but the king was so exceedingly exasperated, and so much chagrined at the concessions which had been wrung from him, that Hamilton gave up the hopeless task of endeavouring to persuade him; and with pernicious policy, subscribed for the maintenance of threescore horse, to carry on the war.† Divided in his attachment, the marquis did not enter fully into the schemes of either party, and not being possessed of that powerful, commanding mind, which enables a man of extensive property and influence, in times of civil distraction, to assume the decisive tone of an authoritative mediator, he sunk into the doubtful, unpleasant, uninfluential character of a trimmer. Having obtained the king's permission to come to Scotland, he found his visit to York had rendered him suspected by his countrymen, who were justly apprehensive, from the experience they had had of Charles, that his respect for their institutions would only continue till the subjugation of the English should enable

Hamilton goes to York.

His wavering politics

Return to Scotland.

* Guthrie's Memoirs, pp. 115, 116. Baillie, vol. i. p. 357.

† Burnet's Memoirs, p. 194.

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him to overthrow them. The emissaries from England, now performing the same part their own had done when the rights of Scotland were invaded, cherished this spirit; and warned them against aiding in the destruction of their liberties, as that would only be preparatory to the ruin of their own Hamilton, who had no means of counteracting the inclination, and what he must have seen was the interest of the nation, informed his majesty of the state of the country, and that he could be of no great use to his service; but proposed to procure an invitation from the whole kingdom for the queen's return, which, as the uxorious monarch had given her an unwarrantable promise, to hearken to no terms of reconciliation, nor to receive into his confidence or favour any person during her absence, appeared the only way of commencing a negotiation for settling the peace of England, with any hopes of success.

Is suspected.

Proposes to recall the queen.

General Assembly.

xxxii. About the same time, [on the 27th July,] the general assembly met at St. Andrews, and the king and parliament were both equally anxious to secure its support. Dunfermline, who was appointed commissioner, delivered a flattering letter from the king, expressing his desire, as "God's vicegerent, who hath made us a king over divers kingdoms," to govern them only by their own laws, and the kirks in them by their own canons and constitutions; and where any thing was found amiss, promising to endeavour a reformation in a fair and orderly way; or where a reformation was settled, to maintain and defend it in peace and liberty, against all trouble from without, and all heresies, sects, and schisms, arising within. Then, after recapitulating the good deeds he had already performed, he proceeds, "We have also commanded our commissioner to receive from you your just and reasonable desires for what may further serve for the good of religion, that taking them to our consideration, we may omit nothing which may witness us to be indeed a nursing father of that kirk wherein we were born and baptized; and that if ye be not happy, you may blame not us, but yourselves." After expressing his belief, that in thankfulness for their present estate and condition, they would abstain from every thing that might make new disturbance, he concludes by asking, "And now, what do we again re-

King's letter.

quire of you, but that which otherwise you owe to us as your sovereign lord and king; even that ye pray for our prosperity, and the peace of our kingdoms; that ye use the best means to keep our people in obedience to us and our laws, which doth very much, in our personal absence from that our kingdom, depend upon your preaching, and your own exemplary loyalty and faithfulness; and that against all such jealousies, suspicions, and sinister rumours, as are too frequent in these times, and have been often falsified in time past, by the reality of the contrary events? That ye judge of us and our professions by our actions; which we trust through God, in despite of malice, shall ever go on in a constant way for the good of religion, and the weal of our people, which is the chiefest of our intentions and desires?"

XXXIII. The assembly took him at his word; they judged of him by his actions, and not by his professions. They had seen him lord it over "that kirk in which he was born and baptized;" and instead of a nursing father, he had produced that very extremity, which our great reformer, in his debate with Lethington, supposed might occur;—when dutiful children could only find safety, by binding the arms, and taking the sword from the hands of an infuriated parent. Their behaviour was, however, respectful; but they could not express a confidence they did not feel. They received with more satisfaction, the communications of the English parliament, who transmitted them a copy of their petition to the king, expressive of their wish to prevent the effusion of human blood, and their earnest desire to avoid a civil war. On purpose that they might perceive how similar their minds were to that of the Scottish nation under similar circumstances, they informed them, also, of their ardent zeal for a due reformation in church and state; and of the interruption their labours had experienced from the plots and practices of a malignant party of papists and ill affected persons—especially the corrupt and dissolute clergy—by the incitement and instigation of bishops and others, whose avarice and ambition, not being able to bear the reformation endeavoured by the parliament, had laboured to kindle a flame, and raise a combustion within the bowels of the kingdom; which if their humble supplication to his majesty should happily prevent, they expressed

Communications of the English parliament.

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their confidence, on the return of peace, of being able, by the blessing of Almighty God upon their endeavours, to settle matters, both in church and state, to the increase of his majesty's honour, the peace and prosperity of the kingdom, and especially to the glory of God, by the advancement of the true religion, and such a reformation of the church, as should be most agreeable to God's word.

Of some English ministers,

xxxiv. The declaration of the English parliament was seconded by a letter from some ministers of England, affirming it to be the desire of the most godly and considerable part among them, that the presbyterian government, which hath just and evident foundation, both in the word of God and religious reason, might be established among them; and that they should have one Confession of Faith, one directory of worship, and one form of church government. "The design," they acknowledge, "hath enemies on the left hand, and dissenting brethren on the right; but as their hearts justified them, they did not doubt but the work would receive the hoped for issue." The views which the Scottish church had, in so anxiously wishing for a unity and conformity of ecclesiastical polity throughout the island, are expressed in their answer to the ministers' letter. "Without it," they say, "we cannot hope for any long time to enjoy our purity and peace, which hath cost us so dear, and is now our chiefest comfort and greatest treasure; which one cause, beside the honour of God and the happiness of the people of God in that kingdom—more desired of us than our lives—is more than sufficient to move us to contribute all that is in our power to bring it to pass."

Respecting presbytery.

xxxv. The grand enemy with which they had hitherto combated, was prelacy, to which their antipathy was both natural and justifiable; and their desire to see it removed from England, was a necessary consequence of the long continued oppressive efforts to introduce it into Scotland, and the dread which the assembly entertained of these being renewed, if the hierarchy were suffered to remain in their sister kingdom. The invitations of parliament encouraged them to revive the policy of uniformity, upon the grounds of cementing the civil, friendly, relations of the two countries. "For what hope they ask," in their reply, "can the kingdom and kirk

Project of uniformity revived.

d have of a firm and durable peace, till prelacy, ..ath been the main cause of their miseries and trou-, first and last, be plucked up root and branch, as a plant ..nich God hath not planted; and from which no better fruits can be expected, than such sour grapes, as this day hath set on edge the kingdom of England?"* The communication from the ministers, persuaded them that, "The prelatical hierarchy being put out of the way, the work would be easy, without forcing of any conscience, to settle in England the government of the reformed kirks by assemblies."

XXXVI. In their supplication to his majesty, taking advantage of his expressions, commanding his commissioner to receive their just and reasonable desires for what may further serve for the good of religion, they took the liberty of presenting for his consideration, "one thing, which for the present was the chiefest of all their desires, as serving most for the glory of Christ, his own honour, and the good of religion throughout all his dominions; the unity in religion and uniformity of church government, which had been introduced by the Scottish commissioners at the late treaty, and favourably listened to by his majesty." They informed him that they had pressed this point in their answer to a declaration from the two houses of the English parliament, and humbly and earnestly begged that his majesty, in the depth of his royal wisdom, from affection to true religion, and the peace of his kingdoms, might be moved to consider the God of heaven and earth, as calling for this reformation at his hands; and that as he was his vicegerent, so he might be his prime instrument in it.

Assembly's supplication to the king

XXXVII. To show their sense of the importance they attached to this subject, they appointed lord Maitland, afterwards duke of Lauderdale! "having certain knowledge of his worth, ability, and faithfulness," to present this humble supplication to the king, and carry their answers to the English parliament and the ministers in London; they wrote likewise to the Scottish commissioners, desiring them to use every lawful mean to forward the same desirable end. They desired their moderator and

* Printed Acts, 1642, p. 14. Rushworth, vol. v. p. 388, 390.

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Other measures to ensure success.

commissioners to supplicate, with all earnestness and respect, the lords of the privy council and the conservators of the peace, for their concurrence with the kirk in their addresses to his majesty and the legislature of England; they appointed all the ministers to remember in their public prayers, the success of this important object; appointed a fast to implore the blessing of God upon their exertions to obtain, as the chiefest of his mercies, national uniformity in religion; and, in order to prevent any relaxation of exertion, they nominated "a commission, for public affairs of the kirk," to sit during the intervals of the assemblies, to use all ecclesiastical ways for furtherance of so great a work, and keeping a brotherly correspondence between these kirks.

Contracted views of the presbyterians.

XXXVIII. What the zealous covenanters had longed for, and aimed at, now beamed above their horizon; but as the prospect of realizing their hopes increased, their minds, instead of expanding, contracted with their success; all their ideas converged into one focus, and the concentrated brightness of the divine right of presbytery was surrounded by a dim obscure halo, beyond which, the dazzled eye saw no object distinctly; they could perceive neither light nor glory without the sacred circle, nor could they imagine that either existed under any other form. Their efforts were not so much to extend the influence of truth, as to extend it in their own particular mode; and they were surprised that others should not acknowledge the superiority of the system of which they were so much enamoured. To this sincere, but contracted spirit, is to be attributed the severity with which they opposed every approach to independentism, and which led some good men to shrink from the thought of toleration, even among protestants. At the assembly, innovations, or meetings for mutual exhortation among private christians, still annoyed them; and the moderator, in his concluding address, warned the ministers against such schismatical conventicles—in less than twenty years, the presbyterians fought for a similar right!!*

* The west country, Ayrshire in particular, the seat of the Scottish Lollards, seems also to have been the seat of the first Scottish independents. Six or seven ministers in Ayr, and two or three elsewhere, defended their principles in opposition to the Assembly; "some of them," says Baillie, "are very

XXXIX. In their reply to the English ministers, they take no notice of the dangers which threatened presbytery, from their dissenting brethren; assuming it as an indisputable position, that there could be no conscientious objection to its introduction; but, as a number of the leading covenanting nobility attended this assembly, and the proportion of ministers, on account of the expense of travelling, was rather smaller than usual, it is more than probable, that the political view of the case had as much influence as its spiritual import, on the proceedings respecting ecclesiastical uniformity. It is pretty evident the English parliament saw the communication in this light; and their answer was judiciously calculated to ensure the good-will of the Scots, without committing themselves to the entire adoption of their rigid and exclusive system. They "acknowledged the great love and brotherly affection of the church of Scotland, in their desires for unity of religion; and although they perceived the difficulty of obtaining one form of church government in all his majesty's dominions, yet they hoped to be so directed, as to cast out whatsoever was offensive to God, or justly displeasing to any neighbouring church; and so far agree with their brethren in Scotland, and other reformed churches, in all substantial parts of doctrine, worship and discipline, as to enjoy those advantages and conveniencies, mentioned in their answer, in the more strict union of both kingdoms, and more free communion in all holy exercises and duties of worship; and, to obtain this, they had passed a bill for calling an assembly of learned and godly divines, which long since had taken effect, could they have obtained the royal consent to it. But the main cause which had hitherto deprived them of the great advantage which they might have had from a close union with the church of Scotland and other reformed churches, they perceived was the government by bishops,—the cause, also, of many other calamities, dangers and in-

Moderation of the English parliament,

heady, yet we are comforted that they increase not in number. The excesses of some of their followers, who have fallen into rigid Brownism, in whole, does very much scar good people from that way." Edinburgh, also, as formerly noticed, was infected with this "schism," and about the same time, a gentleman, of the name of Gearnes, had adopted and propagated their tenets, which occasioned the presbytery to publish an admonition against them. It was read from all the pulpits within their bounds. Baillie, vol. i. p. 349.

BOOK X. 1642.

tolerable burdens, being a dishonour to God, by arrogating to themselves a pre-eminence which he had not given them; by profaning the purity of his ordinances with a mixture of their own injunctions; by corrupting the ministry with pride, ambition, covetousness, idleness, and luxury; by suppressing the spiritual power and efficacy of religion, and turning it into formality and pomp; by inclining to popery, the principles thereof being suitable to that government, and contrary to those principles which were the first grounds of reformation. They likewise found it most pernicious to the civil state and commonwealth, in that, the bishops had ever been active to infuse into their kings, such tenets and positions as are contrary to the fundamental laws of the kingdom, and apt to introduce tyranny, and an arbitrary power over the lives, liberties, and property of the subjects; for all which, and many other reasons, they therefore had declared, that this government, by archbishops, bishops, their chancellors and commissaries, deans and chapters, archdeacons and other ecclesiastical officers depending upon the hierarchy, was evil and justly offensive and burdensome; a great impediment to reformation and the growth of religion; very prejudicial to the state and government of this kingdom, and that they are resolved to take it away." They concluded, by inviting the church of Scotland to send to the proposed assembly, some of their learned and godly ministers. This communication, so grateful, was delivered by Maitland to the commission, and they immediately proceeded to choose the delegates, who afterward met with the assembly of divines at Westminster.

Who invite the Scottish church to send delegates to the Westminster assembly.

XL. The king, in an address to the council, professed himself as ready to promote uniformity in church government throughout his kingdoms as they were to desire it—only in such a way as, in his conscience, he conceived to be best for the flourishing estate of the protestant religion; but declined the proposition for concurring with the two houses of parliament, as they never had made any proposals to him on the subject; and, at the same time, declared his belief, that so far from desiring any such unity, the principal persons among them, and those who made the fairest pretensions, would as soon embrace presbytery, as they themselves would

Charles' Letter to the council

episcopacy; that nothing was less in their minds than the settling of true religion, and reforming such abuses in the church government as might possibly have crept in, contrary to the established laws of the land, to which he, so far from being averse, had—though to little purpose—frequently pressed them to attend. Yet whenever any propositions should be made to him by them, which he should conceive might in any way advance the unity of the true protestant religion, according to the word of God, or establish the church government, according to the known laws of the kingdom, he would then, by his cheerful concurrence, let the world see, that nothing could be more acceptable unto him, than the furthering and advancing of so good a work. The strain of this letter convinced the presbyterians that they had nothing to expect from his majesty, whose predilections were all on the side of episcopacy, and whose will would define the law, whenever he should have the power. It was laid aside by the commission, and tended to unite them more cordially with the English parliament, of whose integrity they had no doubt.

Disappoints the hopes of the presbyterians.

XLI. Affairs now demanded decisive measures; and as war had been openly declared by the king, the council, in compliance with the general wishes of the people, ordered the chancellor to convene the conservators of the peace. The commissioners, having about this time, also returned from England, the counsel despatched the earl of Lindsay and sir John Smith, thither, to manage their correspondence with the parliament. Having informed the king of these circumstances, he expressed his high displeasure—at the last especially—for he alleged, if the deputies from the council were sent in virtue of the act of parliament empowering them to send commissioners to treat, they were not a quorum; if, by their own authority, he desired to know how they presumed to do so, without his orders? Yet, to prevent any misunderstanding, he allowed them to go, that they might watch over the observance of the treaty. He also sent the earl of Loudon his royal warrant for assembling the conservators of the peace. The marquis of Hamilton, who had not publicly declared himself, had been tampering with the marquis of Argyle and the chancellor,

Conservators of the peace convened.

Hamilton tampers with the nobles.

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in private; and had persuaded them so far to trust the royal solemn asseverations which accompanied his majesty's expressed wishes for peace, that they were willing to second his proposed attempts at negotiation with the parliament. The conservators likewise, were favourably inclined; and, at their meeting, were still further disposed to confide in the court, by a plausible letter which Lanark brought from his majesty.* Referring to his late actions in Scotland, he appeals to them as witnesses to all posterity, of his care in preserving the liberty of his subjects there, and his desire to settle perfect peace in that kingdom; and his acts since the assembling of the English parliament, will, he says, bear like testimony to his affection to that nation, though his success had not been alike; for though he had used his utmost endeavours to prevent these distractions, yet he could not prevail upon his opposers to enter, even into a treaty, except upon conditions which would have totally deprived him of all power, and forced him to sacrifice his best servants:—"Yet so desirous are we to save our subjects' blood—which cannot but be prodigally spent, if we be necessitated, by force of arms to decide these unhappy differences—that no sooner any such treaty shall be offered unto us by them, which, with honour and safety, we can receive, but we shall cheerfully embrace it. This we have thought fit to acquaint you with, that from ourselves, you may know our love to peace; and we doubt not, but your meeting at this time, will produce something which will witness your tender respect to our honour and safety,

The king's letter to the conservators of the peace.

* Murray of the bedchamber, afterwards earl of Dysart, was sent to Scotland by Charles, to assist Hamilton in his intrigues with the Scottish nobility. In his letter to the earl of Lanark, respecting the state of the country, he tells him: "His majesty must expect, in point of religion, to be pressed for uniformity in church government; and, if his majesty may be moved to publish some handsome declaration, satisfactory on that point, it would infinitely advance all his affairs in this country, and, from hence have a prompt influence on that." "The parliament hath gained much here, by their last vote, and there is a very fine answer expected to their last message, sent by the lord Maitland, which will extraordinarily confirm the former correspondence. If the king do not something plausible, in the same kind, timeously and unconstrained, the two kingdoms will shut upon him in despite of what his best servants can do." Burnet's Memoirs of the dukes of Hamilton, p. 198.

and so much do we confide in your affections, as we shall absolutely leave the ways and means of expressing it to yourselves." A respectful answer was returned to this communication.

XLII. Without expressing any opinion respecting the differences between him and the English parliament, they adopted the suggestion of Hamilton, and proposed to invite the queen to return and mediate, as they conceived the parties would hardly be reconciled, so long as her majesty was at so great a distance. This request was signed, not only by all the lords in the interest of the court, but by Loudon, Argyle, Warriston, Alexander Henderson, and the chief leaders of the covenanters; in it they pledged themselves to protect her majesty's person, and secure the free exercise of her religion for herself and family, and cordially join with her, in mediating a peace between the king and the two houses; and they obliged themselves to support the king, if it were rejected by them. This proposal, which Charles encouraged, with a view to preserve the neutrality of the Scots, till the event of the campaign might in some degree be apparent, was considered by the conservators so reasonable, that anticipating no objection, they had designated Hamilton, as their ambassador, to proceed to Holland, and escort the queen to their country; but he, who could never seriously intend to comply with it, no sooner saw his prospects begin to brighten after the battle of Edgehill, than, under pretence of being afraid to hazard her person, he rejected the offer. At their next meeting, the affectionate zeal of the conservators was much cooled by the king's want of confidence; yet still they persevered in their endeavours to mediate, and wrote for a safe-conduct for such commissioners as they should send to England for that end. On purpose to prevent any bad effects from the chagrin which the refusal of their offer had occasioned in Scotland, the king, at the request of Hamilton, sent his brother, Lanark, who had carried the conservators' request to court, to assist in managing the covenanters; and, along with him, an assurance to the marquis, of his determination to make no concession. "I have set up my rest upon the justice of my cause, being resolved, that no extremity or misfortune, shall make me yield; for I

They advise the queen to be recalled.

King refuses.

And determines to make no concessions.

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will be either a glorious king, or a patient marty
yet, not being the first, nor at this present appreh
other, I think it now no unfit time to express thi
lution unto you."

XLIII. Early in the month of November, the t
when the royal party was becoming every day
more formidable, emitted a declaration addres
subjects of Scotland, intimating, that as they ha
expressed their opinion of the national alliance,
they conceived themselves bound to apply the s
parliament and power of the kingdom, to the r
of their peace, so now the same obligation lay
by the same treaty, to assist in repressing those
in arms, not only without the consent, but even f
struction of the English legislature. They th
formed them, that his majesty had given commis
veral eminent and known papists, to raise forces,
pose an army in the north, and other parts of th
to join with divers foreign forces intended to be
from beyond sea, for their ruin, and the ruin of
religion; and desired the Scottish people to ra
for the protection of their own borders, as well
their brethren.* This declaration, which was d
the earl of Lindsay, the Scottish commissioner
instead of being directly forwarded to Scotland,
diately transmitted by his lordship to the king,
pressed till the meeting of council after Lanark
who brought with him a counter declaration fro
jesty, narrating in strong language, the indignitie
rages which he had suffered from his subjects, a
acts of justice, grace, and favour performed o
which were as well adapted as could be desire
a people completely happy; and expressing his s
"that this rage and fury had so transported t
make them apply themselves in so gross a man
subjects of Scotland, whose experience of our re
tice, and love of our people, will not suffer them

Declaration of the English parliament to the Scottish nation.

Carried by earl of Lindsay to the king.

His counter declaration.

* Rushworth, vol. v. p. 394.

† Baillie, vol. i. p. 383. Burnet's Mem. of dukes of Hamilt

ese horrid scandals laid upon us!" He mentions the many ineffectual attempts he had made to prevent the miseries of civil war by treaty, which had been defeated by a parliament, which were yet no parliament, as it consisted of not more than eighty of the house of commons, and fifteen or sixteen of the house of peers, so awed by the multitude of anabaptists, Brownists, and persons of decayed and desperate fortunes, that their consultations had not the freedom and privilege which belongs to parliaments." Then, after denying that he had granted commissions to papists, or intended to bring in foreign troops, for the falsehood of which charges he refers to his own proclamations; he sums up the whole thus: "No reasonable or understanding man can suppose our good subjects of Scotland are obliged, or enabled by the late acts of parliament of both kingdoms, to obey the invitation which is made to them by this pretended declaration; when it is so evidently provided for by that act, that as the kingdom of England shall not make war against the kingdom of Scotland, without consent of the parliament of England, so the kingdom of Scotland shall not make war against the kingdom of England, without the consent of the parliament of Scotland; and when they have always declared themselves so careful of our honour, safety, and just rights, which now undergo so great violation."

XLIV. A declaration so palpably insulting as the king's, assuming as facts, what every well informed man in Scotland knew to be false, and what the leading covenanters, in so far as Scotland was concerned, had repeatedly declared to be so; was no less unblushingly untrue with regard to England. It was of course to be expected, that either the council would not allow it to be published, or publish the English parliament's declaration along with it. Accordingly, after both had been read, when the marquis of Hamilton, who had again separated from Argyle, proposed that the king's declaration should be published,* Balmerino replied, it would

Debate in the council respecting their publication.

* Burnet mentions an intercepted correspondence of "one Pickering," an agent from England, which represented the marquis of Hamilton as the chief opponent to the parliamentary cause in Scotland, and recommended that he should either be summoned to the house of peers, or accused as an incendiary. The particular nature of the plot to which this refers is not mentioned. Memoirs, p. 204.

BOOK X. 1642.

be officious to do so; the parliament had not desired theirs to be published, and it was injustice to publish the one without the other. The marquis asked, was that because they owed as much to the parliament as to the king? and Lanark added, he had a command from the king for it. Argyle answered, they sat there to good purpose, if every message to them was a command. The marquis, who perceived the disputants about to get into personalities, interrupted them, by saying the vote was to be stated, obey, or not obey. That, Balmerino remarked, was the bishops' way of proceeding; to procure orders from the king, without advice, and then charge all who offered better counsel with disobedience. To what then, asked the marquis, did they mean to reduce the king's authority, if he might not remove by his declaration, the aspersions that were cast on his person and government? Were they afraid his subjects would have too good an opinion of him, if he were heard for himself? On which the council divided, some were for printing both, and some for printing neither. At length a majority carried to print the king's, but not that of the parliament. It was then moved to take them both into consideration, which was strenuously opposed by Balmerino. The parliament of England, he said, had taken time in drawing up their declaration, nor had the king's advisers been in a hurry to answer it; and if we shall discuss both in a few hours, "we were pretty fellows, i' faith," which he sarcastically repeated twice. The marquis, who recognised the king's expressions, got irritated; and the debate became long and stormy, and ended without their coming to any conclusion, except that of acting in separate distinct parties—the covenanters, at the head of which stood Argyle and Balmerino; and the trimmers, at the head of which were placed Hamilton and his brother.

Carried for the king's exclusively.

The council divides.

XLV. When the determination of the council, to print the king's letter alone, was made known, and it was also announced that Lanark had further instructions to deliver to them, a suspicion very generally arose, that these were to procure a warrant for levying an army, the first employment of which would have been to crush the patriots. To prevent this, the gentlemen of Fife and the adjacent counties, accom-

The country alarmed.

panied by the ministers, hastened to Edinburgh; and with the advice of the church commissioners, drew up a petition to the conservators of the peace, to interfere, and procure that the parliament of England's declaration should be printed, as well as the king's letter; and that it might be declared that the warrant which the council gave for printing the latter, should not be counted as conveying any approbation of its contents. Similar petitions were presented from several of the counties and presbyteries, and when Lanark perceived how the popular tide was likely to run, he produced in council another letter from the king, which he had hitherto kept back, but reserved for such an occasion, allowing that the publication did not amount to an approbation of his majesty's paper. The council immediately ordered the publication of both.

Petitions for the publication of both papers.

Granted by the council.

XLVI. Hamilton—who, since his rupture with Argyle had renewed his intimacy with Traquair—when he saw the spirit of the country roused, afraid that the number of petitioners might influence the council to return a favourable answer to the English parliament, concerted with him a petition, which, from its being intended completely to counteract the other, received the name of "the cross petition." It contained—as all the royal state papers of that day did—the strongest expressions of a desire to promote the very objects they were labouring to destroy—the unity of religion and church government in both kingdoms; and prayed, for this purpose, that they, in their answer, should not adopt any measures hostile to the greatness or authority of the king, or unworthy of that loyalty which, as Scottish subjects, they owed to their native sovereign, on the supposition that they were placed in any other condition in regard to the necessary duties of subjection and obedience to their prince, than their ancestors had been for many ages before the existence of the covenant, the late acts of parliament, or their engagement with England; that they would not promise any thing which might trouble or molest the peace of this kirk or kingdom; that they should render heartily and freely, without respect of worldly or secondary considerations, to Christ, what was Christ's, and to Cesar, what was Cesar's; and as nothing would more di-

Hamilton prepares a "cross petition."

BOOK X.

1642.

minish his majesty's greatness, than to consume the kin dom in a civil war, so nothing would conduce more to t suppression of insolent papists, malignant, schismatic a disloyal Brownists—who are the chief instigators of it· than decidedly to support the royal cause. A number the nobility, and all Hamilton's adherents signed the pe tion; but notwithstanding the specious manner in which was framed to flatter the ruling passions of the day—u formity, and the destruction of schism—none of the mi sters could be prevailed on to give it the sanction of th names. The council received it with that courtesy whi is due from constituted authorities to every respectful pe tion presented decorously by the lieges, and replied th would be careful to proceed in such a manner as they co be answerable for. But the commission of the chur gave in a severe remonstrance, and transmitted a declar tion against it to the different presbyteries, which they a pointed to be read from all the pulpits; and this abortive a tempt to induce the council to declare for the king, excit the friends of the parliament to declaim against a detestab neutrality.

The council cautiously,

The ministers zealously oppose it.

XLVII. There can be little doubt but that the majority the Scottish nation were averse to war with the king, a that they were sincere in their attempts to promote an a commodation between the English parliament and his maje ty; but circumstances had now so much changed, that was as impolitic, as it would have been impossible for the to act as mediators, unless they had been in a situation support their award by the sword—the final, and most co vincing argument in all such cases. They however, tri every method in their power to avoid this ultimate appe The conservators of the peace, who met in September, pr posed to send commissioners into England, to mediate b tween the king and the two houses, and applied to the ki and to the parliament, offering their services; and desiri from them respectively, safe-conducts for such as should employed in that negotiation. The king declined sending safe-conduct, as he was at all times ready to afford a sa and free access to his person to any of his good subjects; b offered a pass to protect them from any danger they mig

Conservators of the peace interfere.

Safe-conduct refused to their commissioners by the king.

dread from the armies. The parliament, without hesitation, sent them a respectful answer, commending them for their wisdom and brotherly affection, accompanied by a blank safe-conduct for whoever they might choose, excepting only the duke of Lennox, and earl of Roxburgh, as being both delinquents.

1642. Granted by the parliament;

XLVIII. In the month of November, the conservators renewed their request to the king, through the medium of Lanark, the Scottish secretary of state, who brought with him to Scotland, a full and satisfactory safe-conduct for the commissioners and their servants, to repair to court, or to parliament, or any part of the kingdom of England, but excepted from it, lord Warriston, and sir Thomas Hope of Kerse. The council named as their commissioners, the earl of Loudon, the earl of Lindsay, Warriston, and John Barclay, provost of Irvine. The church commission, also sent instructions to enforce religious uniformity, the charge of which, they intrusted to the earl of Loudon, and Mr. Alexander Henderson. The Hamilton party, objected to Warriston, and the others acquiescing, although named in the commission, he did not proceed with the rest. Their attempt to prevent Loudon, to whom they were equally averse, either from undertaking a journey to court, or to paralyze his opposition to the measures of the court, was more covert, but more odious, as being made under the guise of patriotism. He had purchased from the king a right to the annuities arising from tithes, confirmed to the crown by the parliament, which had been drawn by the preceding chancellor without molestation, and had never been considered as either improper or oppressive. A petition to the king was now prepared for the remission of this tax, to which was annexed a declaration of loyalty as a mark of gratitude for so great a favour. This petition was intended to serve one of several purposes; as a bond of union among the Hamiltonian faction if gained, if lost, to make them appear as the thwarted benefactors of their country, and their opponents, as oppressors; or to deter Loudon from performing his duty, by the fear of being deprived of this revenue. It was readily signed by numbers of the nobility, and, even some of the council, landholders, interested in the removal of the exac-

then reluctantly by the king.

Hamilton's scheme to keep back Loudon.

BOOK X.

1642. Defeated.

tion. The other party, perceived themselves placed in a situation, delicate and embarrassing, from which they were extricated by the adroitness of Argyle. He complained of the irregular conduct of members of the council petitioning the king in any other than the common legal manner; and through terror of censure, obliged them to withdraw. The burghs, who had less interest in the cause, were easily induced to refuse signing a petition, the intent of which was to create division among the friends of the country, and materially injure one of their most upright supporters, by defrauding him of an income, to which he was fairly entitled; and a complete majority was obtained, by the council assuring their countrymen, that they would in a body petition, either for a remission of the annuity, or its entire appropriation to pay his majesty's debts; and at all events, the most effectual means would be adopted, to get it regulated or abolished by next parliament.*

Cause of the divisions in Scotland.

XLIX. What tended greatly, at this period, to divide Scotland, was the indecisive nature of the military operations, which winter had suspended. The high royalists were encouraged to intrigue, by the apparently favourable aspect of the king's affairs, while the covenanters were hesitating, from the idea, that there was still a possibility of an amicable adjustment between the parties; that, as his majesty had conceded so much to themselves, he would be induced to comply with what they considered the reasonable requests of the English; his advantages not being of such a nature, as to ensure implicit obedience.

Retrospect of the campaign.

L. A short retrospect of the campaign is necessary to enable us to understand the position and pretensions of the different parties, at the time the Scottish commissioners reached Oxford. When the royal standard was erected at Nottingham, the concourse of adherents was exceedingly small, and had the parliamentary forces entered immediately upon action, it would have been impossible for any successful resistance to have been opposed; and several of the nobility, still anxious to prevent a civil war, urged strongly the necessity of making another attempt to avert it. Charles, although deter-

* Burnet's Memoirs, p. 211, 212. Baillie, vol. i. p. 355, 357.

t it should be unavailing, acceded to their request,
ı message by the earl of Southampton, to the lords,
ohn Culpepper, and sir William Usdale, to the
with proposals; but the parliament replied, that
ook down his standard, and recalled his proclama-
ouncing them as traitors, they could not treat. He
y intention of declaring the parliament traitors, and
if their proclamations against delinquents were re-
would recall his. But the negotiations soon broke
contest of proclamations and declarations succeed-
nwhile mutual levies were going forward; and in
me, the royalist army amounted to ten thousand
between three and four thousand horse. Princes
ıd Maurice, second and third sons of the late king
ıia, who had offered their services to their uncle,
of them, high commands, under the earl of Lind-
inted general, and a trifling advantage gained by
ıpert, in a defile, elated their spirits, and brought
to their numbers. The parliamentary forces,
l to about fifteen thousand men, commanded by the
Essex, under whom, Hampden, Hollis, and other
haracters, served as colonels.

Negotiations fruitless.

State of their armies.

fore commencing hostilities the parliament made a
osition to the king, to disband his army, dismiss
ounsellors, and return to his parliament, who would
ılve their forces. His majesty rejected the propo-
marched towards London. Essex followed; but
not twenty miles distant, they, for ten days, conti-
orant of each others' motions, till about midnight,
d of October, the king received intelligence of the
approach. In his anxiety to interpose between the
ıy and London, Essex had left great part of his
th their artillery and baggage, a considerable way
The king, who hoped to defeat the advanced body
e other could join, resolved to give battle. The
are not exactly ascertained, but the lowest estimate
yalists is upwards of twelve thousand, and no state-
es their opponents exceed ten. They encountered
r at Edgehill, near Keinton, in Warwickshire, and
obstinate engagement, in which above five thousand

The king rejects the proposal of parliament.

Battle of Edgehill.

BOOK X.

1642.

men fell, each claimed the honour of a doubtful v
Next day Essex marched to Coventry, and the kin
ceeded to Oxford. Prince Rupert pushed forward w
ing parties of cavalry, and carried his devastations s

London threatened by the king's army.

London, that the parliament ordered their general to a
for the protection of the city. In obedience to their
tions, he arrived in the neighbourhood, and quarte
army in the adjacent villages.

Parliament petitions for peace.

LII. Secured against a surprise, the parliament, a
to stop the further effusion of blood, agreed upon a p
for peace, which was presented to his majesty at Col
by the earls of Northumberland and Pembroke, lord
man, Mr. Pierrepont, son of the earl of Kingston, si
Evelyn, and sir John Hippesley. The king protest
fore God, he was grieved for his people's sufferings,
order to an accommodation, was willing to reside nea
don, and receive such propositions as they should

The king accedes, but continues his march.

But no sooner were the parliamentary messengers re
with their answer than he broke up, and marched t
London, under cover of a thick fog. He reached
ford unperceived, where the artillery of his opponer
stationed with only a very slender guard, which he i
ately attacked, and would have succeeded in dispers
force, capturing the artillery, and perhaps reaching t
pital without interruption, had not the resolute con
two regiments of foot, under Hampden and Hollis, s
ed by a small body of horse, allowed the artillery t

Battle of Brentford.

escape, and prevented the advance of the king's troo
night separated the combatants, both, as before, clain
be conquerors.

LIII. Accounts of this unexpected attack, were soon b
to London; and all the troops in the vicinity, being
collected, together with the trainbands of the city, i
of twenty-four thousand men, in high spirits and
were ready early on the following day, to march agai
enemy. The caution of some of the mercenary office
served the king's army from paying the penalty, forfe
his breach of honour. It had been proposed to send
tachment to attack him in the rear, while the main b
sailed him in front; but when Hampden was already

march to carry the first part of the plan into execution, the advice of the old soldiers, that the scheme was hazardous, and that the army had already acquired sufficient glory, prevailed; and an express was sent to countermand the orders, which was reluctantly obeyed, and the road to Oxford left open for the retreating force, whose want of ammunition, it was afterwards understood, would otherwise have compelled them to yield a bloodless victory.*

His army suffered to escape.

LIV. An action so utterly at variance with all his majesty's solemn declarations of a wish for peace, was loudly exclaimed against by the city of London, who, in a petition to the parliament, entreated they would proceed no further in the business of accommodation, because evil counsel was so prevalent with the king, that he would but delude them; and these sentiments received strong confirmation from letters which were intercepted from Holland, informing his majesty of the forwarding of ammunition and money, and of the success of his negotiations with the king of Denmark. In the north, the earl of Newcastle had induced Cumberland, Northumberland and Durham, to unite for the royal cause, and was at the head of a considerable army, who had lately received an important accession of skilful officers, and a large supply of ammunition from abroad. On the other hand, Cambridge, Hertford, Essex, Suffolk and Norfolk, were associated by lord Gray, for parliament; and Winchester, Chester, Wakefield and Doncaster, had submitted to their army.

London petitions against accommodation.

Accession to the parliamentary force.

LV. Peace was the interest of parliament, but such a peace as should secure their privileges, and the safety of themselves and their adherents; they, therefore, seized every opportunity of proposing it to his majesty; and the very increase of their demands proves their sincerity, as well as their confidence in their own strength; for the supulations against the royal prerogative rose in exact proportion to the risk they ran on the conclusion of a treaty, from the extremities to which they were urged. The king saw, in peace, only degradation; in war, he had every thing to hope; and from the fatal idea of the sacred inviolability of the royal person, which he cherished to the last, imagined he had nothing to

* May's Breviary, p. 91 95. Whitelock, p. 62.

BOOK X.

1642. Negotiations at Oxford—

fear. Thus situated, during the interval after the of the first, and before the commencement of ano paign, the two houses, notwithstanding the very g ing of resentment and distrust prevalent agains sent commissioners to Oxford, to treat. Charles, upon enforcing unconditional submission, indirect aged addresses against accommodation. Their

Demands of parliament.

were:—That he should disband his army, and ret liament; consent to the disarming of papists, and delinquents; abolish episcopacy; establish such tion as should be agreed upon in an assembly settle the militia as formerly required, and fill u offices of state as they recommended. He den That his towns, forts, ships, and revenues, sho stored; the illegal powers assumed by parliament

Of the king—

ed; the Book of Common Prayer authorized to p tarianism; a cessation of hostilities, and a free trac on both sides, till the treaty was concluded. Fro als so widely different, it was not to be expecte final arrangement could take place; the friends on both sides, therefore, would cheerfully have sec reasonable compromise, but they were excessiv pointed, and their patience worn out by the cond king; who, apparently at one time, acceded to the terial propositions for adjustment, and then, at nex resumed the ground he had seemed willing to yi throwing every thing again into such uncertaint discussions had ever to begin afresh; till, at last,

Broken off by parliament.

perceiving no end to be attainable by such fruitles talizing proceedings, ordered their commissioners off the negotiations.*

Scottish commissioners arrive.

LVI. While these negotiations were going forwarc tish envoys arrived. Their instructions were, to offe of the conservators of the peace, their mediatic basis of an uniformity in religion between the two and to procure the royal authority for calling a p In case of being successful with the king, they we ceed forward to parliament. Lanark set out pos

* Rushworth, vol. v. p. 399, et seq. Burnet's Memoirs, p. 2

to reach court before; but being detained by the parliamentary troops for some days, it was the end of February, ere he reached his destination. He brought the opinion of the Hamiltonian party, which was to amuse the commissioners with fair speeches, but not by any means, to allow them to proceed to London. The king, although he had wished the conservators at their first assembling, to express, in some manner, their tender respect for his honour and safety in his quarrel with the English parliament, yet now, when he perceived, that even their neutrality was dubious, desired them to point out the article in the act of pacification, by which they were warranted or obliged to interpose in the internal affairs or differences of the kingdom of England; as, till then, he could not admit of their acting as mediators, or allow them to proceed in that capacity, to the houses of parliament. The Scottish commissioners replied, that their duty to their sovereign, their allegiance, and greatest native interest in his royal person and greatness, and their public faith and fraternity to the parliament, obliged them to interpose. They founded their warrant also, upon the answer of his majesty and the two houses to their request—at the signing of the treaty—that they would take the subject of uniformity in religion between the two nations, into their consideration; and, upon the declaration of the two houses of parliament to the general assembly of the kirk of Scotland, to the commissioners for conserving the peace, and to the lords of secret council, that they were about the reformation so much desired—the sincerity of which they had since evidenced by abolishing the order of bishops, as a principal mean of the desired uniformity in kirk government—and, besides, the impossibility, where kingdoms were so nearly joined between themselves, and so strictly united under one head, to stop the deluge of the troubles of the one, that it affect not the other with the danger of the like, to the disturbance of the common peace of both, was of itself a powerful reason. In his final refusal, either to allow the commissioners to interfere, or to grant a parliament, the king told them that his care to prevent the deluge of troubles in England, from causing any danger to Scotland, was visible to all the world; and that, from his great desire of continuing them in peace

Their conference with the king.

He refuses their mediation.

BOOK X.

1643.

and tranquillity, he had not desired any assistance from them, even for his own preservation; and, if those who wished to raise any commotion there, by attempting to assist the rebels in England, were looked upon as troublers of the peace and incendiaries, then, for aught his majesty could see, there would be no cause to apprehend trouble; and such dangers would prove rather imaginary than real, even although the conservators should be content to keep themselves within their proper bounds.

His reply to the assembly.

LVII. To the petition of the general assembly he replied shortly, commending their zeal for the true reformed religion, against heresy, popery, sects and innovations; evaded the question of unity in kirk government, but expressed himself willing to refer all the controversies to the consideration of "a synod of learned and godly divines, to be regularly chosen according to the laws and customs of this kingdom;" at which he should be very willing that some learned divines of the kirk of Scotland were present. But another, or rather the same petition enlarged, having been printed at London, he afterward published a long reply, which gave rise to observations not highly conducive to his interest. In these, after noticing the dreadful miseries inflicted by the papists in Ireland, and the fears to which their being employed in the royal army in England had given rise—although their numbers were not so formidable in Scotland—the commissioners complained, "that a chief praise of the protestant religion—and thereby their not vain, but just gloriation—was, by the public declaration of the earl of Newcastle, general of his majesty's forces in the north, and nearest to Scotland, transferred unto papists; who, although they be sworn enemies to kings, and be as infamous for their treasons, and their conspiracies against princes and rulers, as for their known idolatry and spiritual tyranny, yet are they openly declared to be not only good or better, but far better subjects than protestants!" They then entreated the suppression of their power, and the uniformity of church government; "the strongest let to which," they represented to be "the mountain of prelacy, under whose shadow so many papists and popishly affected, have found refuge, and profane and worldly men, who fear the yoke of Christ, and whose eyes are

Commissioners' observations.

dazzled with the external pomp and glory of the church seek shelter; besides the many timorous friends, who wish for unity, but are afraid to declare themselves, on account of the prelates; and would, if prelacy were removed, openly join with others in the way of reformation."

The king's answer.

LVIII. The king, in his answer asserted:—that in the army of the earl of Essex, there were more papists than in the earl of Newcastle's, whose loyalty he had reason to commend, not before that of protestants, but of such as rebel under that title; and whose assistance was as due to him by the law of God and man, to rescue him from domestic rebellion, as to defend the kingdom from foreign invasion; but he solemnly declared, that God should no sooner free him from the desperate and rebellious arms raised against him, than he would endeavour to free himself and the kingdom from any fear of danger from the other. "Nor are you," said he, "a little mistaken, if either you believe the generality of this nation to desire a change of church government, or that most of those who desire it, desire by it to introduce that which you only esteem a reformation; but are as unwilling to what you call the yoke of Christ, as those whom you call profane and worldly men, and so equally averse both to episcopacy and presbytery; that if they should prevail in this particular, the abolition of the one would be no let to the other, nor would your hearts be less grieved, your expectations less frustrated, your hopes less ashamed, or your reformation more secured." This last prediction, some of the leading presbyterians lived to see fulfilled; but the justification of Newcastle for employing papists, was productive of immediate disadvantage, and was afterwards greatly improved by the enemies of the king.

LIX. Besides these negotiations, others were going forward of a dark and detestable complexion, which would have involved Scotland in cruel intestine warfare, at the very moment when Charles was adjuring, in the most solemn manner, that nothing was dearer to him than the peace of that kingdom. On the queen's landing at Burlington, which she did in the end of February, she was instantly waited upon by Montrose, who gave her an account of the situation of Scotland, which he depicted as in a state nearly approach-

The queen arrives.

BOOK X.

1643. Plans:—of Montrose,

ing to rebellion, and the covenanters, equally to be dreade with the English parliament, if not timeously suppressed but there were many loyal subjects, he told her, in th country, deficient neither in wealth, power, or courage, wh were ready to rise in support of his majesty, and only want ed his commission; once invested with which, there was n deed so desperate, that they would not venture on for hi service. But there was danger in delay, it would be neces sary to strike quickly; and he therefore proposed to destro immediately all the chief leaders among the covenanters, be fore they were allowed time to put themselves on their de fence; for if they were permitted to get an army assembled they would have it in their power to blast in the bud, th first appearance of any future insurrection.

Of Hamilton.

LX. These violent and unprincipled measures, were qui in accordance with the disposition of the queen, who was wit difficulty persuaded by the marquis, now created duke* o Hamilton, to hesitate about them; as what would not onl bring an indelible stain on his majesty's honour, but destro all confidence in his concessions and assurances; and fo ever put an end to any chance of support from his Scottis subjects. He confessed he had his fears respecting the co venanters, nor could he promise for more than his own fide lity and diligence. His utmost hope was to keep Scotlan in such a state of agitation during the summer, as to preven them, for that year at least, from assisting England. His on ly expectation was from delay. He could perceive no pro spect of advantage from force; there was neither a castl nor strength in the king's power, to which his adherent could retire in case of disaster. The people were entirel devoted to their ministers, and it was but lately that the had seen them as one man, resolve to die in defence of th covenant. The few gentry who might be collected, woul only serve to exasperate their enemies, expose themselves t ruin, and the royal authority to hatred and derision. Ther remained then none else except the highlanders, and thes were chiefly at the command of Huntly and Argyle; th former was fickle and inactive, the latter able but adverse

* His patent was dated at Oxford, 12th April, 1643.

Besides, were it even possible to bring down any of the clans from their mountains, no confidence could be placed in them; they might do well enough for a plundering incursion, but the moment they were loaded with spoil, they would return home to their fastnesses to enjoy their booty, and desert, without ceremony, those who relied on their exertions.

LXI. The utmost, however, the duke's arguments could effect was, that the whole subject should be laid before the king, and his majesty not disapproving of the earl's plans, a plot was originated, which, had it succeeded, would probably have rivalled the Irish massacre in atrocity. The earl of Antrim, after bribing the general—a thing considered by the conspirators as a matter of course—was to procure the transference of the army sent to Ireland for reducing the rebels, back to England, to assist the king; while he himself, with a large body of papists, was to invade the west coast of Scotland, where he relied upon being joined by the M'Donalds of the isles, to whom he claimed kindred; while Montrose, having raised the Gordons, should bring his northern barbarians to effect a junction with his more savage allies, and, after exterminating the covenanters by an unexpected assault, leave Scotland in the repose of hopeless subjection, and march south, to assist Charles in reducing England to a state of equally enviable tranquillity. Monro's integrity, and that of his army, defeated the grand outline of the scheme, although the king had urged Ormond, the lieutenant of Ireland, to conclude a cessation with the rebels, in order to forward it; but the Irish were afterward introduced by the "gallant" Montrose, and gave to the civil war in Scotland, a horrid feature of barbarism, from which it would otherwise have been exempted.*

The king sanctions the plan of Montrose.

It is defeated.

* This atrocious plot was first discovered by the seizure of the earl of Antrim. Major Ballantyne, who was with the Scottish army in Ireland, having perceived a ship's boat, lying in a creek near Carrickfergus, seized it, and a servant of the earl's, who had arrived in it. On examination the servant was found to have come on shore, to see if his lordship could land with safety. The major, by threats, forced the fellow to give the preconcerted sign, which the earl obeyed, and was apprehended. On his person were found the papers, containing a plan for the seduction of the Scottish army, and the king's commission for treating with the rebels.

BOOK X. 1643.

LXII. Oxford was the focus of loyalty and episcopac where licentiousness formed the distinguishing badge of t "friends of church and state," as they styled themselve and the exemplary gravity of manners which distinguish their opponents, was considered as an undoubted mark anarchy and rebellion. In such company, the Scottish co missioners were looked upon with suspicion, and treated wi ridicule; and the inhabitants catching the contagion of t court, reviled and mocked them from their windows as th passed, or on the streets when they met them. Nor w their abode rendered only uncomfortable, but dangerou their letters were intercepted, and their lives threatened.

The Scottish commissioners insulted.

LXIII. Reports having reached Scotland of the treatme they were exposed to, their protracted stay created uneas ness to their friends, and the conservators of the peace o dered their return, after they had spent nearly four mont in a useless interchange of petitions and answers, remo strances and replies. The king, who had detained them further his own projects in Scotland, was also written to Hamilton, who requested that no delay should be interpose as their further detention might be attended with the wor consequences. The commissioners were, however, still a xious to go forward to London, and the king as anxious th they should not, when the chancellor, finding that they woul be unable to procure his consent, proposed to protest again this infringement of their safe-conduct. The king, afrai of the effect a protest might produce, persuaded the earl o Lindsay to use his endeavours to prevail upon the chance lor to return to Scotland; and he having been told of a de sign formed by some of the court party, to assassinate hi by the road, if he attempted to proceed to the metropolis, re lated this to Loudon, who also dreading treachery, reques ed a passport for his own country.

Recalled.

LXIV. Immediately on their arrival, a meeting of the priv council, conservators of the peace, and of public burden was assembled, to whom they gave a full report of their pro ceedings, as Henderson did to the church commissioners by whom they were thanked for their conduct; but the an swers of the king, particularly those in which he avowed em ploying papists in his army, and ridiculously retorted th

Their conduct approved.

: on his English parliament, gave rise to universal dis- ction, and strong expressions of dislike. The critical on of the country not admitting of delay, it was pro- to the civil bodies:—That on account of the warlike ations going forward in the north of England, the na- hould be put in a posture of defence; which, as it not be done without the authority of a parliament or ition of the estates, and as the king's sanction for as- ng a parliament could not be obtained, they should ore summon a convention of the estates without his it, for which they had precedents, even since the time James had gone to England. Hamilton, Southesk, ie lord advocate, sir Thomas Hope, strongly opposed as encroaching upon the king's prerogative. The on was protracted for ten days, and through several igs; but at last the urgency of the case, and the impa- of those who required their assembling, decided that ancellor should issue his mandate for their meeting : 22d of June. A letter was next day addressed to ajesty—signed only by those who had voted in the af- ive—apologizing for what they had done, on account deep importance of the case; the supplies due by the ih parliament to their army in Ireland being in ar- and the payment of the brotherly assistance, so neces- or relieving the public burdens of the kingdom, being d on account of the unhappy distractions in that coun- gether with a sense of the danger that threatened the n and peace of both, all impelling them to pursue this

Convention of the estates.

. To counteract any strong measures which might be ed, his majesty had despatched all the lords, friendly cause, to Scotland; but reports which had gone be- entirely destroyed their influence. It was said, that ny was to be raised by them in Scotland, to enable the o put down the English parliament, of which Hamil- as to have been commander in chief, lord Callender, l, Baillie, his lieutenant, and Montrose, general of ; but that Montrose refused to act an under part. which probably originated in some confused rumours actual machinations of the court, appeared to receive

Charles sends the nobles friendly to him to Scotland.

BOOK X.

1643. Reports injurious to his cause.

confirmation by a journey which Montrose mad north, and some meetings he had with Huntly, Ab other chieftains, to whom the king had written, rec ing them to assemble their vassals and friends, and to them the royal character, from the numerous im to which it had been exposed; but the transmiss after, by Monro, of the papers found on Antrim, p to all conjectural surmises.

His instructions to Roxburgh, &c.

LXVI. Three days after the decision of the privy conservators of the peace, and commissioners for pu dens, to call a convention of the estates, the earls burgh, Kinnoul, and Lanark, arrived with instru endeavour, by "all fair means," to hinder any tre entered into between the Scottish nation and the En liament, and to prevent any of the ministers from us ties in the pulpit with, or censuring any of the king' to declare the king's readiness to contribute any his power for the maintenance of the army in Irel to the engaging his whole revenues in Scotland, ra it should be allowed to return; and expressly decl royal pleasure, that that army should not be reca he was acquainted with this, and discharging the e ven from obeying any orders, except his, for that They were also ordered to publish a declaration to t in Scotland, in which his majesty declares, as u

His declaration.

he had been compelled to take arms in self-defer against his inclination; disavows his employing o to be employed, any papist or recusant, and adds—" other malicious and wicked insinuation, that our su upon the rebellious armies raised to destroy us, an influence upon our kingdom of Scotland, and tl endeavour to get loose from these wholesome laws been enacted by us there; we can say no more, but subjects of that kingdom, know with what delibera self being present at all the debates, we consente acts; and we do assure our subjects there, and cal mighty to witness, of the uprightness and resoluti heart on that point; that we shall always use our u deavours, to defend and maintain the rights and l that our native kingdom, according to the laws e

there, *and shall no longer look for obedience, than we shall govern by the laws!*" He concludes with a solemn imprecation, which, were we to judge by the event, providence strikingly fulfilled. "And God so deal with us and our posterity, as we shall inviolably observe the laws and statutes of that our native kingdom; and the protestations we have so often made, for the defence of the true reformed protestant religion, the laws of the land, the just privileges, and freedom of parliament."

1643. Prophetic imprecation.

LXVII. Nothing now could be done by his majesty's advisers, but either publish his letter forbidding the convention to meet, which they knew would be vain, or protest against its legality when met, which might prove dangerous. They therefore convoked a number of noblemen, who, after four days spent in debate, agreed to recommend to the king, an *ex post facto* authorization of the estates, and an attempt to limit their proceedings to the specific objects of providing for the support of the army in Ireland, and the procuring payment of the brotherly assistance. With this advice the king complied, and in consequence, all his friends attended the meeting, declaring their presence there was in obedience to his majesty's warrant. Upon the meeting, however, declaring themselves a free convention, Hamilton, who had voted it no convention, but as regulated by the king's letter, left the place, together with Lanark, his brother, and several other noblemen.

Abortive attempt to limit the convention.

Hamilton and Lanark leave the meeting

LXVIII. For some time, the Scots had been anxiously looking for ambassadors from England, as affairs there had begun to assume a threatening aspect. In the beginning of the year 1643, the enemies of the parliament prevailed, and fortune seemed to have condemned the cause of liberty in England. The queen and the earl of Newcastle subjected the northern counties of Northumberland, Cumberland, and the bishopric of Durham, and pressed upon Yorkshire; while lord Fairfax with his son sir Thomas, were able to afford but insufficient resistance. The army of Essex, mouldered away by sickness, retreated upon London for recruits, sir William Waller's army in the west was annihilated, and Bristol, the second town in the kingdom, had been taken by prince Rupert. These circumstances, which were in pro-

The king's cause prosperous in England.

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gress during the negotiations with the king, and see give to the royal party an overwhelming prepondera necessary to be kept in recollection, when we attend proceedings of the Scots.

LXIX. While the English commissioners were unex ly delayed, the convention were occupied in attendin accusation brought against the earls of Morton, Ro Kinnoul, Lanark, Annandale, and Carnwath, by the parliament, as incendiaries. These noblemen, in re home from Oxford, wrote to the queen, advising tha or four thousand men should be sent to Lancashire wise that county would in all probability be lost to th This letter being intercepted, Mr. Walden was sen by the two houses, to complain of them as intermeddl disturbers of the peace, contrary to the late treaty; king's party insisting, that till the question at issue l the parties were debated, and the king's quarrel c unjust by the Scottish people, the lords had been g no crime; they were passed over, on promising nc to interfere, with a gentle censure, except Carnwath being accused of having represented his countrymen bels to the king, and asserting that their commis not content with their own rebellion, would stir up r in England also, to ruin the king and his family, dered to stand trial; but, afraid of the consequences, and the estates fined him in ten thousand pounds Sc contumacy. Traquair, too, who was suspected, and to satisfy the committee that examined him, chose to himself; but his son, lord Linton, whose credit stoc with the estates, prevented all further proceedings him.

Morton, &c. accused by the English parliament.

They are censured— Carnwath flees,

And Traquair.

LXX. And now, the church commissioners—whose opinions coincided with the universal opinion of the upon the necessity of putting the kingdom in a postur fence—from a thorough, rational, persuasion, that the ment of England was placed in exactly the same stat themselves had so lately been, that the struggle was th —for freedom of conscience and of religious professio individually expressed that opinion; but, considerir "the conclusions of peace or war, were without th

ment, and alone the work of the state, declined as a body, offering any advice. On being urged, however, by the leaders, with whom they in general acted, and being persuaded, that should the popish and prelatic party prevail, an intestine war in Scotland, or worse, an irresistible tyranny would predominate—in other words, should the king crush his English subjects, he would have very little hesitation in despoiling their Scottish brethren of the privileges he had reluctantly and hollowly granted them;—they presented a remonstrance to the estates, on the dangers and wishes of the kirk; requesting them to devise the means of deliverance, without, however, alluding to any method it might be proper for them to pursue.

The church refuses to interfere.

But presents a remonstrance.

LXXI. But the estates had already sat long beyond the time for which they were usually convened, and, excepting a vote for raising money to supply the army in Ireland, no public business had been transacted; all were on the tiptoe of conjecture and expectation, when Mr. Corbet, a member of the lower house, arrived with a message from the English parliament, excusing their apparent neglect, from the multiplicity of plots they had been employed in detecting, and requesting that Antrim should be delivered over to them; also, that the border should be protected, and announcing that regular commissioners were about to follow.

Message from the English parliament.

LXXII. Meanwhile, the general assembly met, and was opened by sir Thomas Hope, lord advocate, as commissioner, who, in opposition to his inclination, had been forced to accept the office. The king's letter was short and gracious, it reminded them of his majesty's goodness toward them, and his consequent expectation of their concurring with his princely desires, to preserve peace in church and state, by the moderation of their dutiful proceedings; and warns them of a danger it had been well he himself had always shunned. "Having observed that alterations in points of religion, are often inlets to civil dissensions, and the hazard, if not overthrow of both kirks and kingdoms; therefore," he adds, "of our great affection, and special tenderness to your peace—who of all our dominions, are yet happy therein, to the envy of others—we conjure and require of you, in the fear of God, and obedience of us, his

General assembly.

The king's letter.

BOOK X. 1643.

vicegerent, that your endeavours and consultations, tend only to preserve peace and quietness among you." The answer—they who were so well acquainted with the Oxford and York plots—returned to this declaration, at the close of the assembly, was such as might have been anticipated from honest men, uninstructed in the courtly art of making truth subservient to political purposes. They "earnestly pray to God Almighty, in whose hand are the hearts of kings, to incline your majesty's heart to the counsels of truth and peace; to direct your government for the good of your people, the punishment of malefactors, and the praise of welldoers, that this fire of unnatural and unchristian war being extinguished, the people of God, your majesty's good subjects, may lead a quiet and peaceable life, in all godliness and honesty."* The practical reply, was an immediate disdain of present deceitful peace, when put in competition with future security. Henderson, whose sound judgment and eminent fitness for such a situation in times of difficulty had stood the test, was chosen moderator, and the assembly were for some days engaged in preliminary arrangements and private business.

Answer.

English commissioners to the estates.

LXXIII. At length the expected commissioners arrived—sir William Armine, sir Harry Vane the younger, Thomas Hutcher and Henry Darnley, Esqs.—from the parliament to the estates, with a declaration, "Earnestly requesting their brethren of Scotland, to hasten their speedy aid and assistance; and informing them, that although in the straits and perplexities of want and danger, by which the friends of religion and liberty were surrounded, they would not receive such plentiful entertainment as might at other times be expected, yet they would not fail to reap great honour and advantage by their undertaking; both in the service therein done to God, whose cause it is, and the dangers and miseries which would thereby be kept from themselves. Mr. Marshall, a presbyterian, and Mr. Nye, an independent, deputed from the assembly of divines, who had met at Westminster, to assist the others; besides their instructions in matters concerning the peace and common weal of both

* Printed Acts, 1643, p. 32.

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kingdoms, received directions to resort to the general assembly of the church of Scotland, and propound and consult with them "in all occasions which might further the so much desired reformation in ecclesiastical matters." In an address to the assembly, which they brought, the two houses desire, that the reverend body would, according to their former promise, send to the assembly at Westminster, such number of godly and learned divines as they should think expedient for the furtherance of that work, which so much concerns the honour of God, the prosperity and peace of the two churches of England and Scotland, and must needs have a great influence in procuring a more safe and prosperous condition to other reformed churches abroad; and, that their endeavours may be more effectual, the two houses do make this request to them, with their authority, advice, and exhortation, so far as belongs to them to stir up that nation, to send some competent forces in aid of this parliament and kingdom, against the many armies of the popish and prelatical party, and their adherents now in arms, for the ruin and destruction of the reformed religion, and all the professors thereof.* No time was lost in proceeding to the important business for which they had been sent, and where the necessity was so urgent, it was not long in being concluded. "The English wished only a civil league, but the Scots desired a religious covenant," which, considering the state of religious feeling and profession in both countries, was the most judicious and political plan that could have been proposed, for rendering the alliance of the parties efficient and irresistible.†

From the Westminster divines to the assembly.

* The commissioners landed at Leith, where they were met by a committee of the estates, who complimented them, and brought them up in state to Edinburgh; they were introduced to the leading men of the covenanters, from whom they all received a cordial welcome, only Mr. Nye, as an independent, was viewed by some of the presbyterian ministers with jealousy. The very nomination of Mr. Nye, an open avowed independent, must free the English parliament or their commissioners, from the charge of chicane, in their negotiations respecting the reformation of religion. Baillie, vol. i. p. 391.

† I do not know whether Mr. Laing intended the following for wit; if he did, he only adds one more to the melancholy list of those destined to prove the danger of meddling with weapons they do not know how to manage—pointless sarcasms, thrown at the shield of truth, are not always harmless in their recoil on the hand that throws them. "The Scots" says he, "demanded

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LXXIV. That there existed a necessity for entering into the contest, and that the Scottish nation could not remain tranquil spectators of the struggle, was allowed on all hands. The northern counties of England were the seat of war; and, although Berwick and Carlisle, according to the treaty, were still without garrisons, it was not to be supposed that they would long be suffered to remain unoccupied by some of the parties; in which case, the most fertile districts in Scotland, would have been exposed to contribution, and whichever party prevailed, the neutral unarmed people would suffer, unless a force sufficient to protect the frontiers were constantly kept up, a thing rendered totally impossible, by the poverty of the country; there, therefore, remained no choice, but for such a force, when raised, to march into England, and join either the parliament or the king. The royalist party urged the allegiance the Scottish nation owed their native king, and their own covenant, by which they were bound to assist his majesty, in asserting his honour, in all cases not inconsistent with their religion or liberty. They had, besides private inducements; the king had promised large revenues to the leaders, and that every third place of emolument or trust, should be held by a Scottishman. In opposition to this, it was urged, that the king's councils were directed by papists, and persons holding arbitrary principles, and that it would be little for his honour, to enable an army, composed as his was, of the most dissolute and abandoned characters, to triumph over men of a very opposite description.*

Views of the different parties.

a religious covenant, without which, in an age addicted to the covenants, of works, of grace, mediation and redemption, the bonds of national alliance, and even of social intercourse, were deemed insecure." Hist. of Scot. vol. iii. p. 256. The effort here, to throw ridicule upon the leading doctrines of revelation, and upon a people for cherishing them, is happily as silly as it is evident.

* Whitelock, whose case may be considered a favourable example, as he mentions that the commander, sir John Biron, and his brother, endeavoured to restrain the licentiousness of their soldiers, mentions, that when his house was taken possession of, "the soldiery, who carried their whores with them, consumed the provisions and liquors, lighted their pipes with his MSS., and the title deeds of his estates; destroying what they could not consume, they littered their horses with his wheat sheaves, broke his fences, and did every kind of mischief."

LXXV. Among the covenanters, a difference arose, whether the Scots should enter England as armed mediators, as friends to both, or as allies of the parliament; it was decided in favour of the latter, because, by ancient leagues, the two countries were bound to assist each other, when religion was in danger from external or internal enemies; and, when the native princes of Scotland opposed by arms the progress of the reformation, the Scots sought and obtained the assistance of an army from England, by which they were enabled to procure the pacification at Leith, and the establishment of their religion. If either of the two nations be reduced, it was argued, the other cannot expect long to exist free, and many years' sad experience taught, what influence popery and prelacy in England, might have upon Scotland. Thence came the prelates, the ceremonies, the Book of Common Prayer; and thence a bloody sword to enforce them. They have already laid the foundation of a good building, by casting out prelacy, and they are now calling for help to rear the fabric. "If now," said they, "we forsake them, we forsake our dearest friends, who can best help us, should we be reduced to the like straits hereafter by the common adversary; by suffering them to sink, we not only betray their safety, but our own. If we suffer the parliament of England to be cut off, we have lost our peace with England, because, after our disappointment, through breach of the declaration at Dunse, we resolved to seek not a present, but a durable peace for ourselves and our posterity. The surest mean we can pitch on, was to settle our demands by advice of the parliament of England, as the best caution and warrant of our peace; but, if they be destroyed, and the prelatical faction, the workers of our woe, obtain the power, we may expect war from them and the king, ere three months pass. Nor will they want pretences; they know all their disappointments have proceeded from Scotland. Resistance to the king they call rebellion and treason; and they have already ventured to assert that the king was not bound to preserve what he had granted us, because, by keeping this convention, we have first broken with him." To this, it was objected, that having procured the establishment of their religion and liberty, according to their

Covenanters' reasons for joining the parliament.

Objections of the king's party.

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desires, by act of assembly and parliament, with his majesty's consent, and having his royal declaration to the whole kingdom, and to the noblemen and burghs, assuring them of the preservation of their privileges without alteration, the Scottish nation had no interest nor hazard, however matters went in England.

Reply of the covenanters.

LXXVI. In reply, the covenanters urged, that neither verbal promises, nor fair declarations for maintaining religion and liberty, were any security; actions having been so often found to contradict words. As, for instance, the treaty of Dunse, when, from regard to his majesty's honour, confidence had been placed in his gracious verbal declarations, for conditions of the treaty, yet, they were afterward denied, and burned by the hands of the common hangman—all that was there agreed upon, in favour of religion and liberty, reversed, and an army levied against them. It was the counsel of Mons. de Thou, to the queen regent, at St. Andrews, for reversing the first reformation in Scotland, to grant to the reformers, every thing they craved, in fair promises and declarations, and when, satisfied with these, they had dispersed, to interpret her meaning herself, and take vengeance on the heads of her opponents. The same policy was used by the king of France, for subverting the protestant religion. And "we ourselves," they convincingly contended, "have found, by former experience, that the establishment of our first reformation, by an act of assembly and parliament, could not secure us from the violent, pressing innovations against both; and no assembly nor parliament, no rotten cable, no slipping anchor of articles, to which we may fasten our hopes, will ever be found means of safety, in an hour of danger, so long as our enemies sit at the helm; so long as they govern the king's council and conduct, who make him, by extrajudicial declarations, weaken, or destroy whatever is enacted by an assembly or parliament, and interpret the laws in opposition to the supreme legislatures of the country; but, above all, if the English parliament were put down, what security would they have against such plots as the Irish, and those lately detected?

LXXVII. Although it was decided to join interest with the English parliament, and that the alliance should be religious,

some difficulty yet remained respecting the nature of the treaty. The English united with the Scots in the abolition of prelacy, and readily agreed to its extirpation, as the religious establishment of the land. But, averse as they were to the pride, pomp, and dominion of episcopacy, the English commissioners were unwilling to imitate the retaliating spirit of the Scots. Sir Harry Vane, the younger, whose genius, eloquence, and piety had deservedly given him great influence, had adopted the tolerating principles of the independents; and was perfectly satisfied, on political grounds, to deprive of power a hierarchy who had abused it, and to render a persecuting church incapable of continuing to persecute; but, supported by Mr. Nye, he did not wish to substitute in her room, another who professed an equal anxiety to enforce, by unscriptural methods—pains and penalties—uniformity to her dogmas and discipline; they therefore objected to the first draft of the covenant, which was drawn up by Mr. Henderson, and wished to have it worded in such a manner, as to comprehend all the different sects of protestants, now frequently confounded under the general denomination of independents; nor was it till after many meetings between the committees from the convention of estates, the general assembly of the church of Scotland, and the commissioners from England, that the important document was agreed to, as it now stands. It has been the object of as much misrepresentation, as it has been of abuse; I therefore insert it entire:—

English favour toleration.

But accede to

"We, noblemen, barons, knights, gentlemen, citizens and burgesses, ministers of the gospel, and commons of all sorts, in the kingdoms of Scotland, England and Ireland, by the providence of God, living under one king, and being of one reformed religion, having before our eyes the glory of God, and the advancement of the kingdom of our Lord and Saviour Jesus Christ, the honour and happiness of the king's majesty and his posterity, and the true public liberty, safety and peace of the kingdom, wherein every one's private condition is included; and calling to mind the treacherous and bloody plots, conspiracies, attempts and practices of the enemies of God, against the true religion and professors thereof in all places, especially in these three kingdoms, ever since the

The Solemn League and Covenant.

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reformation of religion; and how much their rage, power and presumption are of late, and at this time increased and exercised, whereof the deplorable estate of the church and kingdom of Ireland, the distressed estate of the church and kingdom of England, and the dangerous estate of the church and kingdom of Scotland, are present and public testimonies: We have now at last—after other means of supplication, remonstrance, protestations, and sufferings—for the preservation of ourselves and our religion from utter ruin and destruction, according to the commendable practice of these kingdoms in former times, and the example of God's people in other nations, after mature deliberation, resolved and determined to enter into a mutual and Solemn League and Covenant, wherein we all subscribe, and each one of us for himself, with our hands lifted up to the most high God, do swear,

"1. That we shall sincerely, really, and constantly, through the grace of God, endeavour, in our several places and callings, the preservation of the reformed religion in the church of Scotland, in doctrine, worship, discipline, and government, against our common enemies; the reformation of religion in the kingdoms of England and Ireland, in doctrine, worship, discipline and government, according to the word of God, and the example of the best reformed churches; and shall endeavour to bring the churches of God in the three kingdoms, to the nearest conjunction and uniformity in religion, confession of faith, form of church government, directory for worship and catechising, that we, and our posterity after us, may as brethren live in faith and love, and the Lord may delight to dwell in the midst of us.

"2. That we shall, in like manner, without respect of persons, endeavour the extirpation of popery, prelacy—that is, church government by archbishops, bishops, their chancellors and commissaries, deans, deans and chapters, archdeacons, and all other ecclesiastical officers depending on that hierarchy—superstition, heresy, schism, profaneness, and whatsoever shall be found to be contrary to sound doctrine and the power of godliness, lest we partake in other men's sins, and thereby be in danger to receive of their plagues, and that the Lord may be one, and his name one in the three kingdoms.

'3. We shall, with the same sincerity, reality, and con-
ıcy in our several vocations, endeavour, with our estates
l lives, mutually to preserve the rights and privileges of
parliaments, and the liberties of the kingdom, that the
rld may bear witness with our consciences of our loyalty,
l that we have no thoughts or intentions to diminish his
jesty's just power and greatness.

'4. We shall also, with all faithfulness, endeavour the
covery of such as have been, or shall be incendiaries, ma-
ıants, or evil instruments, by hindering the reformation of
gion, dividing the king from his people, or one of the
gdoms from another, or making any faction or parties
ong the people, contrary to this league and covenant, that
y may be brought to public trial, and receive condign
ıishment, as the degree of their offences shall require or
erve, or the supreme judicatories of both kingdoms re-
ctively, or others having power from them for that effect,
l judge convenient.

'5. And whereas, the happiness of a blessed peace be-
en these kingdoms, denied in former times to our proge-
›rs, is, by the good providence of God, granted unto us,
l hath been lately concluded and settled by both parlia-
nts, we shall each one of us, according to our place and
:rest, endeavour that they may remain conjoined in a firm
ce and union, to all posterity; and that justice, may be
ıe upon the wilful opposers thereof, in manner expressed
:he precedent article.

'6. We shall also, according to our places and callings,
:his common cause of religion, liberty, and peace of the
gdoms, assist all those that enter into this league and
enant, in the maintaining and pursuing thereof, and shall
suffer ourselves directly or indirectly, by whatsoever
nbination, persuasion, or terror, to be divided and with-
ıwn from this blessed union and conjunction, whether to
ke defection to the contrary part, or to give ourselves to a
testable indifferency or neutrality in this cause, which so
ich concerneth the glory of God, the good of the king-
ms, and honour of the king; but shall all the days of our
es, zealously and constantly continue therein, against all
›position, and promote the same according to our power,

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against all lets and impediments whatsoever; and what we are not able ourselves to suppress or overcome, we shall reveal and make known, that it may be fully prevented or removed, and which we shall do as in the sight of God:

"And, because these kingdoms are guilty of so many sins and provocations against God, and his Son Jesus Christ, as is too manifest by our present distresses and dangers, the fruits thereof, we profess, and declare before God and the world, our unfeigned desire to be humbled for our own sins, and for the sins of these kingdoms; especially, that we have not as we ought, valued the inestimable benefit of the gospel, that we have not laboured for the purity and power thereof, and that we have not endeavoured to receive Christ in our hearts, to walk worthy of him in our lives, which are the causes of other sins and transgressions, so much abounding amongst us; and our true and unfeigned purpose, desire, and endeavour for ourselves, and all others under our power and charge, both in public and in private, in all duties we owe to God and man, to amend our lives, and each one to go before another in the example of a real reformation, that the Lord may turn away his wrath and heavy indignation, and establish these churches and kingdoms in truth and peace. And this covenant we make in the presence of Almighty God, the searcher of all hearts, with a true intention to perform the same, as we shall answer at that great day, when the secrets of all hearts shall be disclosed, most humbly beseeching the Lord to strengthen us by his Holy Spirit for this end, and to bless our desires and proceedings with such success, as may be deliverance and safety to his people, and encouragement to other christian churches groaning under, or in danger of antichristian tyranny, to join in the same, or like association and covenant, to the glory of God, the enlargement of the kingdom of Jesus Christ, and the peace and tranquillity of christian kingdoms and commonwealths."

Approved by the assembly.

LXXVIII. The covenant was received by the assembly, from the committees by whom it had been framed, with the most unbounded marks of approbation.* The old and the

* "This assembly sat down ilk day by eight hours in the morning, and continued till 12 hours, syne went to dinner. At two hours they advised and

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expressed by tears of joy, their hearty affection, and
ı the most cordial unanimity, hailed it as a new pe-
d crisis in the work of the reformation. It was on
ɜrnoon of the same day, carried to the convention of
, by whom it was ratified with equal celerity and de-

Ratified by the estates.

d with the conservators of peace, or convention of estates, and se-
ıcil, of what they had been doing, while [until] six hours at even, syne
, and went home."

memoranda of this assembly, bishop Guthrie gives a very characteris-
ɔunt of his own conduct, and that of lord Maitland, afterwards the in-
luke of Lauderdale, which I shall transcribe, as it serves to prove—
ɔlain from the whole history—that the most furious, or most reprehen
ts of measures, in themselves good, were forced upon the excellent
h whom these measures originated, by zealots and hypocrites, both re-
ad political, who afterwards turned apostates, and whose characters
been sufficiently held up to the execration they merit; while pious,
professors—and even the profession itself—have been made to bear
quy of acts, which, left to themselves, and not urged on by the spe-
guments of the others, would have had a very different appearance.
Guthrie, minister of Stirling, rising up, spoke to this effect. 'That
ved the assembly of divines in their letter, and the parliament in their
ion, were both clear and particular, concerning the privative part, *viz.*
y would extirpate episcopacy, root and branch; but as to the positive
ıt they meant to bring in, they huddled up in many ambiguous general
so that whether it would be presbytery or independency, or any thing
ıd only knew, and no man could pronounce infallibly concerning it.
re, that so long as they stood there, and would come no farther, he saw
r this church, which holdeth presbyterian doctrine to be *juris divini*,
ke them by the hand.' Whereupon he wished, 'that before there
r further proceedings, the assembly would be pleased to deal with the
commissioners present, to desire the parliament and divines assem-
Westminster, to explain themselves, and be as express concerning that
ıey resolved to introduce, as they had been in that which was to be re-

For this speech he complains he was cried down as "a rotten heart-
nant, and an enemy to the cause, [how strangely people will some-
ıaracterize themselves!] conceiving that his pleading for presbyterian
ent, flowed not from any love to it, but to baffle the work." pp. 136,
ı calling the roll, he says that lord Maitland, instead of being satisfied
wering yea or nay, as was customary, and no more, "was so taken
ıought of his own, that he must needs vent it, so that when his voice
be asked, he rose up, and spoke to this sense. 'How, upon the 17th
st, four years ago, an act passed in that assembly, for thrusting episco-
of this church, and now, upon this 17th of August also, an act was
r the extirpation of it out of the church of England, and that provi-
ving ordered it so that both happened to be in one day, he thought
s much in it, and that men might warrantably thereupon expect glo-
ısequences to follow, even farther off than England, ere all was done.'"
, pp. 138, 139.

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light. The first clause in this remarkable deed, is the c which gave rise to the greatest discussion, and was at l settled by a compromise, not of sentiment, but of expr sion; and this, I am persuaded, was agreed to by the p ties, not in the spirit of duplicity, or with the desire of ju gling each other, but in the sincere belief of both that t principles they each held, were consonant to scripture, a that they only wanted to be explained and enforced arig in order to carry conviction to the hearts of their opp nents. That this was the view of the presbyterians in ado ing the language of that article, we have their own auth ity for asserting. In the "declaration of reasons for assi ing the parliament of England against the papists and p latical army, by the general assembly of the kirk of Sc land," they meet the objection, that the "English wo not embrace a presbyterial government in the kirk, and no hope of uniformity," by this reply, "They have alre put out the episcopal government root and branch, neit will they, nor do the protestant kirks know of any ot but presbyterial." "And, if any zealous men among the have their scruples against presbyterial government, we tr the Lord will reveal the truth unto them."*

Observations.

LXXIX. That the independents did not conceal their nets, we learn from Baillie; and that they did not surr der them afterwards, is no proof, that they did not both av and say what they meant, when they agreed to a reformati according to the word of God, and the example of the b reformed churches. The second article has, with equal u fairness, been urged against the contracting parties, as they both wished to propagate their principles by t sword; but the article is not so expressed, and we find th it was not so executed, no prelate was put to death for l opinion, and no episcopalian was turned from his benefice starve. When the presbyterians and independents were terward appointed in the room of men, judged inefficie from want of capacity, or by immorality of conduct, a fifth their revenues was allowed them. The case was very d ferent, when episcopalians rejected their own non-confor

* Rushworth, vol. v. pp. 472, 475.

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ıren in England, or when they turned the civil ainst presbyterians and independents: then, not a was allowed to the laborious ministers, who, with ilies, were turned out houseless upon the wide sent to expiate the crime of non-conformity in the ı the gibbet. The charge of a persecuting spirit, h a peculiarly bad grace from episcopalians, who r been known in Scotland, but as sycophants and rs.

Observations continued.

Whatever of ambiguity the articles possess, was ry consequence of an agreement between two par- ı a subject on which one party was not perfectly de- her fully to acquiesce, or entirely to submit, and re- which, policy, perhaps conviction, forbade a direct :; but the determination to suppress popery and vas not less an object of just retaliation, than of ab- :essity. Respecting popery, all parties agreed. As ıs system, it was in direct opposition to the essential of christianity held by all protestants as funda- ınd, as a political system, it stood opposed to the t of civil liberty, and the progress of knowledge.) modification, did it admit of communion with per- believed the Bible the best gift of heaven, and the ıeruse it, the unalienable prerogative, as well as the rivilege of man; and under no qualification could ıitted as a sharer of power, by people, who had not , but suffered from its unhallowed, untameable, and ıirit of intolerable despotism. It was not a matter , but a measure of self-preservation, to eradicate a hat justified the terrific butcheries of France, the er treason of England, and the Irish massacre, then istant events, nor considered as doubtful effects of religion, but as the obviously necessary consequen- anguinary creed. The remaining articles are such have been expected, from men who were equally or their liberty and religion, and whose religion ı essential feature in their mind.

It is curious, but not unprofitable to remark the ıconsistencies of human conduct upon the same sub- at the same time. The presbyterians were anxious-

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ly labouring to secure to themselves religious liberty, but not less anxious to prevent its being enjoyed by any others, or in any other way than their own. This same assembly passed an act, recommending to the ministers upon the coasts, or where there were any harbour or port, to try and search for all books tending to separation, if any such should be brought into the country from beyond seas; and, if any were found, to present the same to the presbyteries, that some course might be taken to prevent their dissemination, and that the civil magistrates should concur with their authority, for the effectual execution of this act. And in the act for preparing the directorie for the worship of God, "In order to preserve peace and unity in the kirk till the book were finished, the assembly forbade, under pain of the censures of the kirk, all disputation by word or writing, in private or public, about different practices, in such things as had not formerly been determined by the kirk"—decisions which breathe little of that spirit of free inquiry, encouraged and enforced by themselves, when the corruptions of popery and prelacy were the subjects of investigation. The desire of exclusive power—which seems almost inseparable from religious establishments—we shall have occasion to notice gradually increasing among the presbyterians, till, happily for the honour of the profession, the sword was wrested from their hands, when in the very act of unsheathing for persecution.

Intolerance of the presbyterians.

LXXXII. This assembly seems to have retrograded in their opinions, with regard to popular superstition, nearly as much as with regard to liberality. They craved a permanent commission from the council, or justice-general, to some understanding gentlemen and magistrates, within the bounds of presbyteries, to apprehend, try, and execute justice against such persons as were guilty of witchcraft, to point out the grounds for their apprehension, and the method of procedure against them. After appointing a commission to sit, the assembly rose, as did the estates, who nominated a committee to transact all public business during the recess.

LXXXIII. During the sitting of the civil and ecclesiastical legislatures, the Solemn League and Covenant was transmitted to London, by a select committee, consisting of lord

Covenant sanctioned by the English parliament.

Maitland, Mr. Henderson, and Mr. Gillespie, where, being sanctioned by the English parliament,* and ordered to be taken by the nation, it was returned to Edinburgh; and on the 13th of October, after an animated discourse by Mr. Robert Douglas, was sworn and subscribed in the High Church, by the commission of the church, the committee of estates, and the English commissioners, amid a joyous and admiring assemblage. On the 22d, the committee of estates ordered, that without delay, it should be sworn and subscribed throughout the whole kingdom, by all the subjects, under pain of being punished as enemies to religion, his majesty's honour, and the peace of the kingdoms.

Sworn at Edinburgh.

LXXXIV. This measure, which has been censured as harsh and persecuting, was a political act, rendered necessary by the plots the king's friends, or banders, were incessantly carrying on. A plan for a universal massacre of the heads of the covenanters had been formed, and under pretext of attending the funeral of the countess of Roxburgh, all the chiefs of the high royalist party, agreed to meet, and proceed to action; but from want of concert, jealousy, or distrust, not above a thousand horse assembled, who being disappointed of aid from England, dispersed, without being able to come to any certain resolution. Hamilton and his brother had been of the party; and such was the dread of insurrection and invasion, that the beacons were prepared for being lighted up, and the country desired to be in a state of preparation. When the cloud passed over, the fears which it excited, occasioned a peremptory order for enforcing the solemn obligation, and in particular, all the lords of the council, who had not already taken it, were commanded to

Plot for massacring the principal covenanters.

Order for enforcing the covenant.

* The covenant was, by an order of the commons, after it had passed the parliament with some small alterations, printed and published, and on the next day, it was appointed to be taken publicly in St. Margaret's church at Westminster, by the house of commons and assembly of divines. Philip Nye returned from Scotland, Mr. White prayed before, and Dr. Gouge after, and Mr. Henderson, one of the commissioners from the kirk of Scotland, also made a speech. The manner of taking it was this—The covenant was read, and then notice was given, that each person, by immediately swearing thereunto, worship the great name of God, and testify so much outwardly, by lifting of their hands, and then they went up into the chancel, and there subscribed their names in a roll of parchment, in which the covenant was fairly written. Rushworth, vol. v. p. 475.

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appear on the 2d November, and take the covenant. With this injunction, Hamilton, his brother, and some others refusing to comply, their estates were confiscated, and their persons ordered to be arrested. These severe proceedings induced some to subscribe, but the duke and Lanark, whose temporizing schemes had all failed, seeing by this last defeat, every hope of aiding the royal cause in Scotland extinguished, left the country, and set out to join the court at Oxford.

Hamilton and Lanark join the king at Oxford.

LXXXV. Among the other causes that invigorated the animosity of the Scots, was the cessation in Ireland. Charles' negotiations in that island had long been suspected, and had latterly become pretty generally known; but the universal disgust which any arrangement with the papists, without bringing the perpetrators of the massacre to condign punishment, would have excited, obliged him to conceal his proceedings, until he imagined himself in a situation, such as would enable him to overwhelm all opposition by the success of his plots. At last, having intercepted the supplies destined for the English army, and artfully encouraged their discontent excited by the irregularity of their pay, he instructed Ormond with the justices, to conclude a year's truce with the Irish rebels, in order to enable him to bring over the regiments raised to suppress them, to assist in subduing the English parliament. This was considered in Scotland as declaratory of an intention to introduce an army of cut-throats, and encourage the popish party, at least so far, as to render an immediate and stricter union among the protestants necessary for mutual protection; and the effects to the king were doubly harassing, in the energy they gave to the opposition against him, and in the distrust and dissensions the truce occasioned among his friends.

Charles makes a truce with the Irish rebels.

LXXXVI. Intent as the Scots were in carrying into effect the religious covenant, they did not omit to attend to the important civil duties of the league. An army of eighteen thousand foot, and three thousand horse, with a suitable train of artillery, were engaged to be sent to England, to assist the parliament—to be commanded by Scottish generals, subject to the direction of a committee of both kingdoms; to be paid at the rate of thirty thousand pounds per month,

Agreement for a Scottish force to be sent to England

e hundred thousand in advance; that no separate peace ould be made by either, nor should the Scottish troops be ıployed for any other purpose, than that for which they tered England, and that during their absence, the English et should defend the Scottish coast.*

LXXXVII. Charles, greatly dissatisfied with the proceedgs in Scotland, could only oppose to them proclamations ıich were treated with contempt, and protestations which ·re universally disbelieved. Montrose—whose estates were rolved, and his affairs desperate—detested by the coventers whom he had deceived and deserted, disappointed the northern clans, who had felt his persecuting zeal as covenanter, and distrusted his newly adopted loyalty, when found himself unable to rouse the king's friends to the ıntic project of rising on his behalf, in opposition to the hole nation, and with the certainty of ruin—after ascerining the designs of the covenanters to support the cause freedom in England, withdrew privately, together with ırd Ogilvy, and went to the king. His majesty's ear was afficiently open to their complaints of the lukewarmness of is Scottish friends, and he was easily persuaded to look pon the caution of Hamilton as the consequence of treason. The duke, therefore, on his arrival at Oxford, was ordered be arrested, upon an accusation of connivance with the venanters, and a design to seize the crown; and, after in demanding a trial, was sent prisoner to the castles of ndennis, and St. Michael's Mount, in Cornwall—nor was set free, till the latter place surrendered to the parliaıtary forces, in the end of April, 1646. Lanark, who seized at the same time, made his escape, and fled to ıdon.

Montrose joins the king.

Hamilton arrested by order of the king.

Much abuse has been thrown out against the earl of Leven, (Leslie,) for ng accepted the command of the army on this occasion. Baillie's account pletely justifies his conduct. "General Leslie is chosen, and accepted old charge. It is true he passed many promises to the king, that he would more fight in his contrare: but as he declares it was with the express and cessary condition, that religion and the country's right were not in hazard, all indifferent men think now they are in a very evident one." Vol. i. p. 92. I wonder this passage escaped Mr. Brodie, who seems to admit Clarendon's slander on the old veteran. Hist. of the British Empire, vol. iii. p. 25.

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LXXXVIII. About the end of harvest, the Scottish troops began to be put in a state of preparation, in consequence of a proclamation issued by the convention, in the king's name; ordering all the "fencible men," from sixteen to sixty, of whatsoever age, rank, or quality, to provide themselves with forty days' provisions, and with ammunition, arms, and other warlike stores of all sorts; and to be in readiness to make their rendezvous armed, at the place appointed by the estates.* Soon after, a short declaration was issued to justify their conduct, and to remove the objection started by the high royalists, that they had not the authority of the king. They observe, "that though through the injury of mischievous counsels, both his person and personal commands were withheld, yet his honour, his happiness, posterity, his great council, and the welfare of his kingdoms, called importunately to them for this timely interposing; so that, unless they could blot out of their thoughts, the sense of piety and religion towards God, of honour and duty towards their sovereign, and of gratitude towards the parliament and kingdom of England, they could in nowise resist their present call to this undertaking."†

Scottish declaration on assembling their forces.

LXXXIX. The call of the estates was heartily followed throughout the country, except in that part of the north under the influence of Huntly, who wished to observe a suspicious neutrality; and an army of twenty thousand men was

* The horsemen were to be armed with pistols, broadswords, and steel caps, and when these could not be had, with jacks, or secrets, lances, and steel bonnets. The footmen armed with musket and sword, or pike and sword, and when these could not be had, with halberts, Lochaber axes, or Jeddart staves and swords.

† Dr. Cook remarks on the invasion of England by the Scots, "Whilst they, (the covenanters,) still held the language of attachment to the king, professing, with disgusting hypocrisy, to be solicitous for his honour, they ordered their forces to march into England, and to join the parliament, which avowed that it unsheathed the sword against him." Hist. of the Ch. of Scot. vol. iii. p. 77. But he forgets the equally disgusting hypocrisy of the king, who likewise held the language of affection for his people, and professed to wage war for the liberties of the parliament! The truth is, the forms of expression, when the war commenced, originated from the mixed form of the governments of both kingdoms, which supposed, on the one hand, the honour of the king inseparable from the interest of the country, and on the other, the liberty of parliament incompatible with the degradation of the monarch.

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bout the close of the year, assembled on the borders under eslie, earl of Leven, who had William Baillie as his lieu- nant-general, and David Leslie, major-general of the horse; ut previously to the army's entering England, the conven- on of estates published their manifesto. In it they advert- d to the well known attempts which had been made against eir own religion and liberties, and acknowledged the good and of God, that had delivered them from the open vio- ence and secret machinations of their enemies—the papists, prelates, and malignants—who, defeated in Scotland, had raged with greater fury and malice in miserable Ireland, distressed England with new stratagems and greater power, and unless interrupted and driven off, would end their bloody, barbarous, and antichristian tragedy on the same stage where it had commenced. They then noticed their in- effectual endeavours to mediate, and the assembling of a con- vention of estates in consequence, which seemed called to- gether by an especial providence, to provide remedies against the treacherous plots laid for the destruction of church and state. Among these remedies, the chief one was to renew with England a league and association, for defence of reli- gion and the mutual peace of the kingdoms, against the com- mon enemy, and for uniformity in church government and the external worship of God; and the late example of the kirk and kingdom of Scotland suggested, as the best and most effectual means for preserving religion and both king- doms from utter ruin and destruction, and for procuring peace and all other blessings, that both kingdoms should en- ter into a solemn league and covenant. But, convinced that upon the swearing and subscribing of this covenant by true christians and patriots, the opposite and malignant party of papists, prelates, and their adherents, would tumultuate more than ever, they therefore were under the necessity of taking arms for mutual defence; unless they could consent to betray their religion, liberties and laws, and all that they and theirs possessed, into their hands, and suffer themselves to be cut off and massacred, by such bloody and barbarous cruelty, as had been exercised for some time past in Ireland and England.

Scottish army on the borders.

Their ma- nifesto.

xc. As if they had anticipated the representation of a late

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historian, who tells us, "they engaged as principals, instead of allies; that they are accused of converting their aid into a religious crusade, and are described as marching like the disciples of Mahomet, with the sword and the covenant in either hand,"* they remark, "The question is not whether we may propagate our religion by arms, but whether, according to our power, we ought to assist our brethren in England, who are calling for our help, and are shedding their blood in defence of that power, without which, religion can neither be defended nor reformed, nor uniformity of religion with us and other reformed kirks be attained, and who have in the like exigence assisted us. Neither," add they, "is the question whether we should enter England, and lift our arms against our own king, but whether we be not bound to provide for our own preservation;" and they urge, as an irresistibly conclusive argument for their interfering, the cessation concluded with the Irish rebels, notwithstanding all the unparalleled cruelty committed by them upon the protestants.†

The king's reply to it.

XCI. In reply, the king, as if the Scottish nation had been wholly incapable of recollecting the events of the last four years, tells them, "It is now, we suppose, known to the christian world, and will be known to after ages, with what princely grace and fatherly indulgence, we have demeaned ourself to that our native kingdom of Scotland, since our first coming to the crown!" He then notices the events which had taken place in Scotland, as proceeding from a few factious spirits; and the invasion of England, as an express violation of the act of pacification between the two kingdoms. He next avers, "that as he had been compelled to take arms for

* Laing's Hist. vol. iii. p. 262.

† It should always be recollected, in reading this part of our history, that the presbyterians had already felt the persecuting power of the prelates:—with how much justice they dreaded its return, we shall see in the history of the second Charles: but unfortunately, they could not perceive that civil liberty was compatible with any other form of church government than presbytery—like some worthy, but contracted politicians of our own day, who, delighted with the liberty and privileges this country at present enjoys, above every other land in Europe, conceive it impossible for rational freedom to exist, but under a monarch; and while they detest an illegitimate despot, are equally afraid of an uncurbed republican.

e defence of his person, family, and crown; for the reli-
on, laws, and liberties of the kingdom; for the maintenance
the privileges and being of parliament—which he should
vays hold in high value and estimation—so he should use
d employ these arms to no other end than the security
all these; and should never suffer himself to be tempted
any success or victory, to infringe the laws of the one, or
olate the laws of the other country. But if, after all this,
ey should still persist in entering England, then he doubts
t, but the hearts of all true Englishmen will rise with in-
gnation at the unheard-of insolence; and easily conclude,
at neither conscience nor brotherly affection engages them
om their own peace and quiet in this ungodly errand, but
hope and resolution to make a conquest by the help of
eir civil dissensions, and to inhabit their fruitful and most
leasant places; for, that the same kindness will carry them
ut that brings them in, cannot be imagined by any sober
nderstanding."

XCII. While the warlike preparations were going forward
n Scotland, and when it was no longer a matter of doubt to
vhich side the covenanters would adhere, Charles, as he
ad always encouraged, now entered more decidedly into the
anguinary and atrocious proposals of Montrose; who, tak-
ng advantage of the total failure of all Hamilton's moderate
counsels, seized the opportunity to press more eagerly his
wn desperate and dazzling, but imprudent and fatal schemes.
He represented, that for upwards of twelve months he had
nceasingly pointed out to his majesty and his royal consort,
he appearance and certainty of this storm; and reckoned it
ne of his greatest misfortunes, that his fidelity had obtained
o credit with so good a master. His affairs were now
rought into a state of jeopardy, which might have been
asily prevented, had not his majesty relied on such persons,
s under colour of his authority, had bound up the hands of
me; and under a pretence of his interest, led on others to
ch measures, as had naturally at last brought on a rebel-
on; and who, although they had an army at their com-
and, had yielded every thing to the rebels, without draw-
g a sword. Yet, although matters seemed in such a
ubtful state, he pledged himself, if fully empowered, either

Charles receives Montrose into his confidence.

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to reduce the rebels to obedience, or lose his life in the attempt.

XCIII. In consequence of this conversation, the king desired the earl to mature a plan, and lay it before him. In two days, Montrose returned to the king, and after stating the difficulties to be surmounted in the present state of Scotland, the whole of the country being at the beck of the covenanters, who had garrisoned every strong place, and were abundantly supplied with men, money, arms, ammunition, provisions, and every requisite for carrying on the war, besides being in alliance with the English rebels, while he possessed neither men, arms, nor money:—added, if his propositions were acceded to, he did not yet despair of success; and at all events, his majesty's affairs could be in no worse a case than they were. He desired, first, that a body of Irish should be landed on the west coast of Scotland; secondly, that the marquis of Newcastle, who commanded in the northern districts, should furnish him with a party of horse, to enter the south of Scotland, and convey himself into the heart of the kingdom; thirdly, if possible, he should obtain from the king of Denmark, some troops of German cavalry; and lastly, that a quantity of arms should be provided somewhere abroad, and transported into Scotland.[9]

His plan for reducing the Scots.

This project, which was only a continuation of the York conspiracy, was ratified by the king, who gave his commission to Montrose, and his consent to the introduction of ten thousand Irish papists into Scotland, to assist the enterprise. Whatever may have been Charles' share in the massacre of the protestants—and in the most favourable view of the circumstances, it can only be alleged, that he did not order all the murders which were committed—his authorizing the introduction of such miscreants, stained so deeply with the blood of their countrymen, into Scotland, with the full view of all their late atrocities before him, involves a degree of guilt and of ferocious barbarity, which nothing can extenuate, nor have his apologists ever attempted to excuse; and the man who headed them, too, has been extolled as a hero! the gallant Graham!

Agreed to by the king.

[9] Wishart's Memoirs, p. 48. Baillie's Letters, vol. i. p. 429.

xciv. Amid the preparations for mortal strife, the ecclesias- l combatants for uniformity, were not idle. The first vi- of the Scottish ministers to London had greatly diffused sbyterian sentiments, which were widely embraced by the achers in the metropolis and in the neighbourhood; but edom of religious inquiry, had not tended to increase the nber of presbyterians alone—independents, anabaptists, l various other denominations, increased along with them; l, when parliament resolved to inquire into the abuses of episcopal hierarchy, a petition was presented by some nisters in London, [1641,] that his majesty should be soli- d to call a synod, that all points connected with ecclesi- cal government might be freely considered; and the mons accordingly mentioned it in the remonstrance, as ir desire, "that there might be a synod of the most grave, us, learned, and judicious divines of this island, assisted h some from foreign parts, professing the same religion h us, who may consider of all things necessary for the ce and good government of the church; and to represent result of their consultations, to be allowed and confirmed, l to receive the stamp of authority." To this the king not at first express much reluctance; but the treaty at ford having failed, the two houses, desirous of gratifying ir Scottish allies, converted their bill into an ordinance, l convened the assembly by their own authority, without iting for his sanction; assigning, as a reason, that the m of church polity then existing, was an evil justly offen- e and burdensome to the kingdom. The assembly was consist of thirty lay-assessors, ten lords, twenty common- , and one hundred and twenty-one divines, nominated by rliament, to confine their ecclesiastical jurisdiction entirely the object of the ordinance; and if any difference of opi- on should arise, to report it, with their reasons, to either the two houses, that proper directions for its proceedings ight be given.

Origin of Westminster assembly.

Convened by parliament.

xcv. Before the assembly met, the king proclaimed it ille- l, and prohibited the persons mentioned in the pretended dinance from obeying it. Notwithstanding this, however, out sixty-nine appeared in king Henry VII.'s chapel, the st day; but among these were only a few of the numerous

Proclaimed illegal by the king—it meets.

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episcopalian clergy, named by the impartial parliament, and they very speedily withdrew.* To this synod, well known as the Westminster Assembly of Divines, the general assembly of the church of Scotland, as formerly mentioned, had sent commissioners, who reached London about the middle of November. On their arrival, they applied to both houses, for a warrant to sit in the assembly, without which, no man was allowed entrance. This they obtained, as a matter of course, and were cordially welcomed by Dr. Twiss, the prolocutor, in a long speech, who complimented them upon their zeal and affection in undertaking so tedious and hazardous a voyage, by sea and land,† at such a dangerous season of the year, upon their account, and directed them to the most convenient and honourable seats in the house.‡

Reception of the Scottish commissioners.

* Each of the members was allowed four shillings per day for his attendance. They met, not in canonical habits, but in black coats and bands in imitation of the foreign protestants.

† From Leith to London!

‡ Baillie gives the following account of the manner and proceeding of this remarkable assembly. "The like of that assembly, I did never see, and as we hear say, the like was never in England, nor any where is shortly like to be. They did sit in Henry VII.'s chapel, in the place of the convocation; but since the weather grew cold, they did go to Jerusalem chamber, a fair room, in the abbey of Westminster, about the bounds of the college forehall, but wider at the one end, nearest the door, and on both sides are stages of seats, as in the new assembly house at Edinburgh, but not so high, for there will be room but for five or six score. At the upmost end, there is a chair, set on a frame, a foot from the earth, for the master prolocutor Mr. Twisse. Before it, on the ground, stands two chairs, for the two master assessors, Dr. Burgess, and Mr. Whyte; before these two chairs, through the length of the room, stands a table, at which sits the two scribes, Mr. Byfield, and Mr. Roborough. The house is all well hung, and has a good fire, which is some dainties at London. Foranent the table, upon the prolocutor's right hand, there are three or four ranks of forms. On the lowest, we five do sit, upon the other at our backs, the members of parliament, deputed to the assembly. On the forms foreanent us, on the prolocutor's left hand, going from the upper end of the house, to the chimney, and at the other end of the house, and backside of the table, till it come about to our seats, are four or five stages of forms, whereupon the divines sit as they please, albeit, commonly they keep the same place. From the chimney to the door, there are no seats, but a void for passage. The lords of parliament use to sit on chairs, in that end, about the fire. We meet every day of the week, except Saturday. We sit commonly from nine, to two or three, afternoon. The prolocutor, at beginning and end, has a short prayer." "Ordinarily, there will be present, about threescore of their divines. These are divided in three committees; in one whereof, every man is a member. No man is excluded,

XCVI. At first, the commissioners were requested to sit as members of the assembly, but declined; because, being deputed as representatives of the national Scottish church, to manage one particular subject—uniformity—they desired to be treated with, in this their public capacity. They were willing, as private individuals, to sit in the assembly, and occasionally give their opinion on the points in discussion; but they required a committee of lords, commons, and divines, to meet with them separately respecting uniformity, who prepared the subjects connected with it for debate in the as-

who pleases to come to any of the three. Every committee, as the parliament gives order in writ, to take any purpose to consideration, takes a portion, and on the afternoon meeting, prepares matters for the assembly, sets down their minds in distinct propositions, backs their propositions with texts of scripture. After the prayer, Mr. Byfield, the scribe, reads the propositions, and scriptures, whereupon the assembly debates, in a most grave and orderly way. No man is called upon to speak, but who stands up of his own accord. He speaks so long as he will, without interruption. If two or three stand up at once, then the divines confusedly call on his name, whom they desire to hear first. On whom the loudest and maniest voices call, he speaks. No man speaks to any, but to the prolocutor. They harangue long, and very learnedly. They study the question well beforehand, and prepare their speeches, but withall, the men are exceedingly prompt and well spoken. I do marvel at the very accurate and extemporal replies that many of them usually make.

"When, upon every proposition by itself, and on every text of scripture that is brought to confirm it, every man who will, has said his whole mind, and the replies, and duplies, and triplies are heard, then the most part calls to the question. Byfield the scribe, rises from the table, and comes to the prolocutor's chair, who, from the scribe's book, reads the proposition, and says, as many as are in opinion that the question is well stated in the proposition, let them say *I*; when *I* is heard, he says, as many as think otherwise, say *No*. If the difference of *I* and *No* be clear, as usually it is, then the question is ordered by the scribes, and they go on to debate the first scripture alleged for proof of the propositions. If the sound of *I* and *No* be near equal, then says the prolocutor, as many as say *I*, stand up; while they stand, the scribe and others number them in their minds, when they are set down, the *Noes* are bidden stand, and they likewise are numbered. This way is clear enough, and saves a great deal of time, which we spend in reading our catalogue. When a question is once ordered, there is no more of that matter; but if a man will deviate, he is quickly taken up by master assessor, or many others, confusedly crying, speak, to order. No man contradicts another, expressly by name, but most discreetly speaks to the prolocutor, and, at most, holds on the general, as the reverend brother, who lately, or last spoke on this hand, on that side, above, or below—they follow the way of their parliament."—Letters, vol. i. p. 399, 400.

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sembly. On doctrinal points there was no difference; all the members coincided in the creed, usually termed Calvinistic, which they held in common with the reformed churches abroad, and which had, in its fundamental articles, formed the leading features of the preaching of all the fathers of the reformation. On church order and discipline, they were divided. At first, a majority were inclined to a moderate and simple episcopacy, which, resigning its temporal power, would not have pressed too keenly the objectionable parts of the ritual. A considerable number favoured presbytery, and a few were independents. There were no professed anabaptists present, but their numbers were considerable in the city; and, as they only differed from the independents respecting infant baptism, their opinion gave weight to the sentiments of the others on church government. There was, besides, another party stigmatized as erastians, from Erastus, a German theological writer, who, without adopting any exclusive mode of church government, asserted that the pastoral office was only persuasive;—they were, therefore, for restricting entirely the ministers to their ministerial functions, without any power of the keys annexed. The Lord's Supper and other ordinances of the gospel, were to be open and free to all; the minister might dissuade the vicious and unqualified from the communion, but might not refuse it, or inflict any kind of censure, the punishment of all offences, either of a civil or religious nature, being reserved to the magistrate.

Views of the parties composing the assembly

xcvii. Previously to the arrival of the Scottish commissioners episcopacy had been abolished, and the covenant having been afterwards sworn, the presbyterians acquired a considerable accession of numbers and sway; but unfortunately, untaught by persecution, in prosperity they adopted the principle and the spirit from which they had suffered, and refused to tolerate in their protestant brethren—men of irreproachable character, acknowledged learning and piety, agreeing with them in the essentials of christianity—a system of church government different from their own. The independents also had suffered persecution for conscience' sake, and were still a minority. They defended now, what they afterwards maintained when they enjoyed the favour of govern-

ment, the great principle, that among all christian states and churches, there ought to be vouchsafed, a forbearance and mutual indulgence to saints of all persuasions, that keep to, and hold fast, the necessary foundations of faith and holiness; and, that all professing christians, with their errors that are purely spiritual, and intrench and overthrow not civil society, are to be borne with, and permitted to enjoy all ordinances and privileges, according to their light, as fully as any of their brethren who pretend to the greatest orthodoxy.*

XCVIII. The divine right of presbytery, came early into consideration, and the office of ruling elder, as forming a strong pillar of the system, was keenly contested for several days. One of the Scottish divines, professed his "marvelling at the great learning, quickness, and eloquence, together with the great courtesy and discretion of their opponents;" but, notwithstanding, the assembly found, that, besides ministers of the word, there are other ecclesiastical rulers to join with them in the government of the church. The difficulty, however, with which this was gained, taught them caution, and they reserved the grand trial of strength, on the question of independency, till the advance of the army, which the same divine candidly confessed to his private correspondent, "he expected would much assist their arguments."† To the movements of that army, it will now be necessary to direct our attention.

* Preface to the Savoy declaration.—Orme's Life of Owen, chap. xi.

† "On no other point, expect we so much difficulty, except alone on independency, wherewith we purpose not to meddle in haste, till it please God to advance our army, which we expect will much assist our arguments." Baillie's Letters, vol. i. p. 402.

THE

HISTORY OF SCOTLAND.

Book XI.

Charles I.—Scottish Army enters England.—Leaves Newcastle under Blockade.—Skirmish at Hilton; the Royal forces retire.—Defeated at Selby.—The Scots unite with the Parliamentary forces.—Invest York.—Battle of Marston-moor.—York surrenders.—Earl of Leven takes Newcastle.—Affairs in the North.—Huntly's proceedings.—Argyle's.—Montrose arrives.—He heads the Irish who had landed.—Defeats the Covenanters at Tippermuir.—At Bridge of Dee.—Sacks Aberdeen.—Defeats the Covenanters at Fyvie.—General Assembly: confirms the sentence of Excommunication against Huntly.—Parliament: appoint Commissioners to negotiate with the King.—The King's affairs prosperous in England.—Dissatisfaction of the English.—The Army re-modelled.—Treaty of Uxbridge.—Laud Executed.—Proceedings of Montrose.—He defeats Argyle at Inverlochy.—Parliament: forfeits Montrose and Huntly.—General Assembly: their Address to the Parliament; to the Nobles, &c.—Their Remonstrance to the King.—Directory for Public Worship.—Baillie appointed Commander-in chief.—Proceedings of Hurry.—Montrose plunders Dundee.—Defeats Hurry at Auldearn, and ravages the Neighbouring Country.—Baillie sent against him.—His veteran troops withdrawn by the Committee of War.—He is defeated at Alford.—Proceedings of Westminster Assembly.—English Parliament decides against the Presbyterians.—Their endeavours to remove Cromwell from the Army ineffectual.—Military operations.—Battle of Naseby.—The King retires to Wales.—Successes of the Parliamentary forces.—Prince Charles retires to France.—Scots take Carlisle.—Tampered with by the King.—They invest Hereford.—The King raises the Siege.—Vigorous Measures of the Scottish Parliament, not seconded.—Proceedings of Montrose.—He wastes Muckhart, Dollar, &c.—Battle of Kilsyth.—Is appointed Captain-general by the King.—His Army reduced by desertion.—Resolves to advance into England.—Defeated by D. Leslie at Philiphaugh.—Escapes to Athole.—Wanders about the Highlands unable to raise another Army.—1644—1645.

BOOK XI.

1644 Charles I.

I. As soon as their preparations were complete the Scottish troops were put in motion; and about the middle of the month of January, 1644, they assembled at Harlaw, in the neighbourhood of Berwick, eighteen thousand foot, and three

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ısand five hundred horse. On the 18th, a committee
ı the two houses arrived at head-quarters, and having
ed a committee, appointed by the estates, they, under the
ıe of the committee of both kingdoms, superintended and
cted the operations of the army.* On the 19th, they
ke up and entered England, and on the day after sent a
:r to the officers and gentlemen of Northumberland, in-
ıing them of their march, and desiring their co-opera-
. In consequence, a consultation was held on the con-
t to be pursued by the loyalists:—Whether, in that ex-
ıity, they should lay waste and destroy the country, to
vent its affording shelter or accommodation to the invad-
; return a civil answer to their letter; or fight the ene-

Scottish army assembles on the borders.

The Yorkshire officers advised rendering the district
esert, falling back upon the royal army, and transmitting
communication of the committees to his majesty, or at
it, to the marquis of Newcastle, the commander-in-chief,
hout making any reply. The Northumbrian gentlemen,
ose estates must have suffered the penalty, would not
ısent to their county being made desolate, and they wish-
to return a respectful answer. All were of opinion, that

Enter England.

The following, was the allowance made to officers and soldiers, horse and
, in the Scottish army, for their entertainment on their march, or as they
uld be quartered in England. Major of horse, per day, 6s.; root [route]
ster, or captain, 6s; lieutenant, 4s.; coronet, 2s. 6d.; corporal, quarter-
ster, and trumpeter, 1s. 6d.; a trooper, for himself, 1s.; for every horse-of-
r, or trooper, for his horse, five sheaves of straw, or a stone of hay, at 4d.,
l oats, a measure of three gallons, English, 6d. Lieutenant-colonel of
t, per day 5s.; major, 4s.; captain, 3s.; lieutenant, 2s.; ensign, 1s. 6d.;
arter-master and sergeant, 1s.; corporal and drummers, each 8d.; common
ldiers, 6d.; drivers, same as common soldier, and for carriage horse, three
nnyworth of straw or hay, and a groat's worth of oats. Officers of dragoons
lieutenant-colonel, per day, 6s.; major, 5s.; captain, 4s.; lieutenant, 3s.;
sign, 2s. 6d.; sergeant, 1s. 4d.; corporal, and drummer, 10d.; dragooner,
, and for his horse, three pennyworth of straw, and a groat's worth of oats.
alding gives us the outfit of the soldiers furnished by the burghs, at their ex-
nse. "Ilk soldier was furnished with twa sarks, coat, breeks, hose and bon-
t, bands and shoone; a sword and musket, powder and ball, for so many,
d other some, a sword and pike, according to order; and ilk soldier to have
: shillings (Scots) every day, for the space of forty days, of loan silver; ilk
elve of them, a baggage horse, worth fifty pound, a stoup, a pan, a pot for
ir meat and drink, together with their hire, or levy or loan money; ilk sol-
r estimate to ten dollars." Troubles in Scotland, vol. ii. p. 150

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they did not possess the means of resistance in the field: yet, the former obtained that a harsh reply should be returned, that the bridge of Alnwick should be fortified, and an attempt made to defend it; but a division of the Scottish force, under general Baillie, which had marched from Kelso by Wooler, approaching, sir Thomas Glenham retreated to Newcastle, nor made even a show of opposition; and the army advanced without any other interruption to Morpeth, except what proceeded from the state of the roads and the weather. The roads were unformed, and the snow, which had fallen very deep, melted by a thaw, swelled the rivulets to torrents, and overflowed almost the whole level lands; and in their fatiguing and tardy progress, the foot soldiers frequently marched in water up to the middle, sometimes with it higher.

Take Cocquet island —advance to Newcastle.

11. Cocquet island was taken possession of by the marquis of Argyle, likewise without opposition; and general Leslie, after remaining five days at Morpeth to refresh his troops, advanced upon Newcastle, which he summoned to surrender in the name of the committee of both kingdoms, (February 3d.) The marquis of Newcastle, who had thrown himself into the town, invigorated the resolution of the garrison; a resolute defiance was returned, and the suburbs set on fire, to attest their determination. The flames raged from Saturday till Monday, when a sortie was made by sir Marmaduke Langdale and Colonel Fenwick, on two Scottish cavalry regiments, commanded by lord Balgonie, Leven's son, and lord Kirkcudbright. The Scots were at first thrown into disorder, and were moving off in confusion; but some English, who had been sent to attack them in rear, and intercept their retreat, were suddenly checked, by finding that they had countermarched, and unexpectedly presented to their enemies a ready and determined front. Colonel Brandling, who commanded, seeing this, rode out in front of his troops, flourishing his pistol as a bravado. A lieutenant Elliot, from the Scots accepted the challenge. Both having fired and missed, wheeled to engage sword in hand, when Brandling's horse stumbled; ere he could recover himself, his antagonist pushed him off, and took him prisoner, at which his men,

were spectators of the affront, discouraged by the fate ıeir leader, took to flight, and left to the Scots the honour ıe day.

ı. Their situation, however, became exceedingly critical; ' found they could make no impression upon the town, ıre which they had lain a fortnight; their provisions were ning short, and their spirits declining for want of employ- ıt; they therefore determined to pass the Tyne, leaving ind them a body of foot, with some troops of horse, un- major-general sir James Lumsden, to keep the garrison heck. Accordingly, on the 22d, they broke up, and after ouacking for some nights, crossed on the 28th, at three erent fords; and resting on the Sabbath, entered Sunder- l next day. Meanwhile, the marquis of Newcastle, re- ɔrced with infantry from Durham, and twelve troops of se from Yorkshire, watched their motions with an army ourteen thousand men; but the Scottish being advanta- ıusly posted, the marquis, not deeming it prudent to at- ıpt an attack, resolved to retire to Durham, with the in- tion of straitening their quarters. At this period, they re much distressed for want of provisions; three, of five sels, which had been sent from Scotland to supply them, ring been cast away, and the other two, driven by stress weather, into the Tyne, were seized by the enemy; so t frequently they were almost wholly deprived of the ne- saries of life, and never had more than twenty-four hours ıply at a time. In consequence, they again moved nearer wcastle, where they might secure subsistence for the men; here they were reduced to a harassing dilemma:—if they ıained, it was true they could procure provisions for their liers, but they could obtain no provender for their horse; hey advanced with their cavalry, they might secure forage, could not command provisions; and if they separated, infantry would be exposed to the attack of a superior ce, and the whole army to the hazard of being ruined detail. The marquis decided their deliberations, by ancing in battalia to Hilton, on the north side of the r Weare, two miles and a half from Sunderland. The ıts immediately drew out to meet them, and during the they remained fronting each other till night-fall, when

Leave it under blockade.

Enter Sunderland.

Distressed for provisions.

Skirmish at Hilton.

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the cannon began to play, and the musketeers, in skirmishing parties, endeavoured to dislodge each other from the hedges and enclosures behind which they had sheltered themselves, and continued the desultory contest with considerable slaughter, till darkness put an end to the affair. Next day the royalists commenced a retreat, harassed by a party of Scottish horse, and Leven advanced with his whole army to more plentiful quarters between Hartlepool and Durham; where he continued quietly till the 8th of April, when a disaster of the royal army in Yorkshire, occasioned their opponents to march thither.

The royal forces retire.

iv. At the time Newcastle marched to observe the motions of the Scots, he left colonel Bellasis, governor of York, and commander of a very considerable force in the county; but not adequate to cope with the parliamentary forces, if united. The committee of both kingdoms, when apprized of the marquis' movements, judging it a favourable opportunity for reducing the whole of Yorkshire, sent orders to lord Fairfax, and his son sir Thomas, to effect a junction, and take advantage of the circumstance. Accordingly, the latter* left Latham house, which he had been besieging, and hastened into Yorkshire, with two thousand horse, to join his father. Meanwhile, colonel Bellasis, who had learned their intentions from some intercepted letters, endeavoured to frustrate their design; but being attacked at Selby by their united forces, he was totally defeated, with great loss —himself, a number of officers, and fifteen hundred men, being taken prisoners, together with all their baggage and military stores.

Royalists defeated at Selby.

v. On receiving this unwelcome intelligence, the marquis,

* In consequence of the Irish cessation, Charles, in November, brought over part of the troops, who had been sent to that country to crush the rebellion, to aid him now in putting down the parliament; and thus practically gave the lie to all his professions respecting his anxiety to punish the cruelties they had perpetrated. These troops were defeated by sir Thomas, about the time the Scots entered England; and the greater part of the prisoners who were taken, detesting the royal cause, joined the parliament, and augmented the force of the king's enemies, while he incurred all the odium of the transaction, and which he had trusted to his success to wipe away. After this achievement, sir Thomas went to Lancashire, and besieged Latham house, which was gallantly defended for nineteen weeks by the countess of Derby, till prince Rupert raised the siege.

ling himself in danger of being enclosed between two ıies—the Scots, who were advanced within two miles of rham, on the north, and the victorious Fairfax on the th—having collected all the forces that could be spared of Newcastle and Lumley, left his heavy baggage, and ıt provisions did not admit of easy transport, behind him, in much alarm, commenced a hasty march for York, fol- ed by the earl of Leven, who successfully attacked his r upon their march. The Scottish and parliamentary ıies uniting at Tadcaster on the 20th, proceeded to York, ıch they immediately invested; but their numbers were sufficient to beleaguer the city on both sides, for the mar- s having a powerful cavalry—between four and five thou- d—and possession of the bridge, which enabled him to ıck them on either quarter, or if they divided their forces, ıssail one part with the whole of his, it was judged expe- nt, to order the earl of Manchester—late lord Kimbolton ɔut of the associated counties, to come to their assistance.

Retreat to York;

Which the confederates invest.

ɪ. Manchester, who had raised in the former year an ar- to co-operate with Cromwell, having joined that daring l skilful officer, appointed him his lieutenant-general, and ; now at the head of fourteen thousand men, a force not re distinguished by their gallant exploits, than by their ellent discipline. On the 3d of May, he sat down before ıcoln, and after some resistance, made himself master of lower part of the city, the besieged retreating to the ıster and castle, on the top of a high hill. On the 7th, ween two and three o'clock in the morning, on an ap- nted signal, six pieces of ordnance being fired at once, assault was made, and in spite of a gallant resistance, the ks were carried by storm; but on a cry for quarter, in heat of action, quarter was given. The governor, sir ncis Fane, with a number of officers, seven hundred foot, about one hundred horse, were made prisoners. All r ammunition and arms, with six pieces of ordnance, fell the hands of the victors, whose loss was only eight kill- and about forty wounded.

Earl of Manchester takes Lincoln.

ɪɪ. Encouraged by this success he opened a communica- with the confederated army, by constructing a bridge of s near Gainsborough, which he fortified, and protected

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with two regiments of foot. Across the bridge he pushed three thousand horse, to watch, in conjunction with other two thousand despatched from the Scots and lord Fairfax, the motions of sir Charles Lucas, who had been sent out of York by the marquis of Newcastle, with a strong body of cavalry, to forage in the neighbourhood. With the remainder of his army he advanced, and joined the besiegers. Hitherto York had been under a kind of blockade, and many petty skirmishes had taken place, but now the siege began to be more closely pressed, and new batteries erected to play upon the castle, tower, and town. Nor were the besieged idle; they kept up a brisk fire upon the enemy's works, and burned the suburbs, after withdrawing the people, that they might not afford them any shelter. Among the transactions of the siege, the Scots distinguished themselves, and with characteristic prudence, in an attack near Meikle-gate-bar, brought away a booty of cattle and horses. The most severe loss which occurred, arose from the misconduct of Crawford, Manchester's major-general, who was intrusted with a mine, which he exploded prematurely, and the rest of the army not expecting it at the time, were not prepared to support him in the assault. The breach, though practicable, was resolutely defended, and the assailants finally repulsed.

Confederates repulsed at York.

Cruelties of the forces under prince Rupert.

VIII. All hopes of the besieged depended upon prince Rupert, who had greatly distinguished himself by his relief of Newark, the capture of Longford, and the storming of Bolton, at which last, however, his cruelty formed a striking contrast to the humanity of Manchester. The garrison was not only refused quarter in the town, but for miles round the savage victors, in outhouses, fields, highways and woods, put to death the unresisting fugitives. Liverpool also fell into his hands, and the unbridled soldiery were let loose upon the inhabitants, because the governor had wisely secured the military stores. An order from the king brought him from the scene of his victories, to attempt the deliverance of York.

He is called to relieve York.

IX. Collecting all the forces he could on his route, and joined by sir Charles Lucas and the marquis of Newcastle, the prince advanced with an army nearly twenty thousand

Towards the evening of Sabbath, June 30th, the generals were first certainly apprized of his approach, it, on that night, he would halt within about twelve teen miles of their encampment. Instantly adopting olution of giving him battle, they raised the siege, arched with their whole force to Marston-moor—a ioor, five miles distant from York, on the south-west the Ouse—to intercept his progress, expecting that ld advance by this route; but the prince, anxious to the city, caused a party of his horse amuse the ene- r a bridge, while he dexterously threw himself into brought his army within five miles, on the north- nk of the river. Having effected his object, the mar- Newcastle is said to have advised him to remain sa- and wait the issue of the dissensions, which he knew t in the enemies' camp, and the arrival of re-enforce- daily expected from the north. Rupert, in answer, m he had the absolute command of his majesty to en- nd was bound in duty to obey. Whether the prince ıave long avoided being brought to an engagement more disadvantageous circumstances, or whether he rashly in seeking a battle while his army was flushed ctory, and he had the choice of the field, is a ques- very little importance, and one upon which we are w competent to pronounce; had he been successful— was very nearly so*—the action might have decided r, and ranked him among the first generals of his day; was not so, does not prove that he acted unskilfully manœuvres, or unwisely in his hazard, when the stake high.

Confederates raise the siege.

Disappointed in their expectations, by the adroitness r opponent, the parliamentary army resolved to march lcaster, Cawwood, and Selby, on purpose to obtain nmand of the river, prevent all supplies from the east , intercept his march southward, and hem him in, as rl of Denbigh, with the Lancashire forces, were advan- om the west. It appears pretty evident, had this plan

* en the fate of the day was determined, prince Rupert is reported to l, "I am sure my men fought well, and know no reason of our rout because the devil did help his servants." Rush. vol. v. p. 637.

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succeeded, that prince Rupert's army, accustomed as it had been to licentious indulgence, would have perished without a blow. To wait did not suit the temper of the prince, more than his situation, and on the 2d of July, when the combined army were on their march to Tadcaster, the Scots in front, and had arrived within a mile of the town, about nine o'clock in the morning, notice was given, that the van of his army, five thousand horse, had arrived on Marston-moor, and pressed hard on their rear, while he was arranging the rest in order of battle. The march of the confederates was immediately countermanded, and orders issued to prepare for an engagement; but the prince had possession of the moor, and they were forced to draw up part of their men in a field of rye adjoining; their right leaned upon the town of Marston, and the line extended about a mile and a half fronting the moor. Between two and three o'clock, both armies were formed, their numbers nearly equal, each being about twenty-five thousand men. The royal army was commanded by Rupert on the right, by sir Charles Lucas and colonel Harvy on the left, which consisted of horse; the centre was under generals Goring, Porter, and Tilyard—where the marquis of Newcastle fought is uncertain. The right wing of the confederates, composed of horse, partly Scottish, was commanded by sir Thomas Fairfax; the left, likewise cavalry, was under the direction of Manchester, and Cromwell, his lieutenant general, assisted by major-general David Leslie; the centre was led by lord Fairfax on the right, and the earl of Leven on the left. As the prince's line extended in front somewhat beyond theirs, the Scottish dragoons, under colonel Frizzle, were stationed to secure the left flank. The fieldword of the prince was, 'God and the king,' that of his opponents, 'God with us.' At three o'clock, the great guns began a distant cannonade, but without much effect. About five they ceased, and both lines being completely formed, an awful stillness succeeded, each in silent, breathless, expectation, waiting the signal of attack; for a ditch and bank, which intersected the field between the combatants, rendered the first assault on either side disadvantageous. At last, the earl of Manchester's foot, and the Scots of the main body, advanced in a running march, cleared the

Battle of Marston-moor.

and came briskly to the charge. The horse then rush-
ward to the shock. Prince Rupert in person, with his
ivision, encountered Cromwell. The conflict was se-
nd long; the troopers fought with ardour, hand to
nder the immediate eye of their leaders, till at last
rell's irresistible band, although attacked on front and
y the flower of the cavaliers, broke through, and be-
bly seconded by Leslie, the whole of the cavalry in
ht wing were put to flight, while Manchester's foot
g pace with them, went along by their side, cutting
and dispersing the infantry. The marquis of New-
regiment alone, distinguished by their white uniform,
ed to fly, and their dead bodies covered the space
d occupied while alive.

On the other extremity of the lines, the fortune of the
s reversed; for although sir Thomas Fairfax and co-
ambert, with five or six troops, charged through the
t, and reached their own left wing, Harvy succeeded
eating the remainder. He furiously assaulted lord
t's brigade, which was thrown into disorder by the new
regiments, who being put to flight, wheeled back up-
nd not only broke their ranks, and trode down the
h reserve, but threw the whole right into such irre-
le confusion, that they left the field, and fled to Tad-
carrying with them the news of a total defeat. The
were proceeding to seize the carriages, when Crom-
th his horse, and Manchester's foot, returned from
g the prince's right wing, and perceiving the disaster
friends, advanced in good order to charge the vic-
ho observing their approach, gave up the plunder,
pared to receive them—both sides not a little surpris-
nd they must again contend for a prize each imagin-
had already won. The face of the field was now
counterchanged; and each army occupied the ground
had been possessed by the enemy at the beginning of
. The royalists marched intrepidly from the rye
at of which they had driven their opponents, to attack
rliamentary troops, who were ranged on the moor.
cond encounter was deep and bloody, but short and
. Before ten o'clock, the united army was triumph-

King's forces totally defeated.

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ant, and the shattered remains of the royalist sought refuge in York. The whole baggage, artillery, and military stores, with above a hundred stand of colours,* fell into the hands of the conquerors; besides fifteen hundred soldiers, prisoners, and about a hundred officers, among whom were sir Charles Lucas, generals Porter and Tilyard, and lord Goring's son. They estimated their own loss about three hundred, and that of the royalists at upwards of three thousand buried in the field.

XII. Disaster produced dissension among the vanquished. Newcastle, a nobleman too indolent for the constant occupations of the field, and disgusted with warfare, when active exertion took place of pomp and circumstance, unwilling also to brook the superiority of prince Rupert, next day after the battle, embarked with his family and friends for the continent. Rupert, rallying what forces he could, retired into Lancashire. Dissensions were not, however, confined to the vanquished. The independents, dreading the encroaching spirit of the presbyterians, who relied so much on the support of their arms for the success of their principles, ascribed the whole merit of the victory to Cromwell; the presbyterians, who deprecated as the most fatal curse, that toleration which the others advocated, decried unjustly Cromwell's merit, and claimed the whole praise for David Leslie;† and this spirit

Dissensions in both armies.

* Among the colours sent to parliament, were, prince Rupert's standard, with the arms of the palatine, near five yards long and broad, with a red cross in the middle. A black coronet, with a black and yellow fringe, and a sword brandished from the clouds, with this motto, *Terribilis ut acies ordinata.* A willow green, with the portraiture of a man holding in one hand a knot, in the other a sword, and this word, *This shall untie it.* Another coloured with a face, and this motto, *Aut mors aut vita decora.* A yellow coronet in its middle, a lion couchant, and behind him a mastiff, seeming to snatch at him, and in a label from his mouth, written Kimbolton; at his feet little beagles, and before their mouths written *Pym, Pym, Pym,* and out of the lion's mouth these words, *Quousque tandem abutere patientia nostra.*

† Baillie, in writing of this victory to his brother-in-law, repeatedly expresses his chagrin. On the first arrival of the intelligence, he says, "The independents sent up one quickly, to assure that all the glory of that night was theirs, that they and their major-general, Cromwell, had done it all their lone; but captain Stewart afterward showed the vanity and falsehood of their disgraceful relation." "The disadvantage of the ground, and violence of the flower of prince Rupert's horse, carried all our right wing down, only Eglinton kept ground there to his great loss; his lieutenant, Crowner, a brave man,

of rivalry spread widely, both in the camp and in the council, till the presbyterians were expelled from the army, and outvoted in the parliament.

XIII. On the night after the battle, the combined army kept the field, and on the 4th, having resumed the siege of York, summoned it to surrender at discretion; but sir Thomas Glenham replying, that he could not yet yield it upon such terms, the batteries were again planted; every renewed effort to reduce the place was resisted with vigour, till on the 11th, when they had made their approaches close to the very walls, and prepared their ladders for storming, the besieged desired a parley, and the garrison surrendered, upon condition of being allowed to march out with their baggage, and the honours of war.

York surrenders.

XIV. After the surrender of York, it was agreed, that the three armies should separate; lord Fairfax to remain governor of the city, and secure the county, but to despatch a thousand of his horse into Lancashire, to join with the forces of

The army separates.

I fear shall die, and his son, Robert, be mutilated of an arm. Lindsay had the greatest hazard of any, but the beginning of the victory was from David Leslie, who, before was suspected of evil designs, he, with the Scots and Cromwell's horse, having the advantage of the ground, did dissipate all before them." Afterward writing to his friend Mr. Blair, who was serving as a chaplain with the army; "We were both grieved and angry that your independents there should have sent up major Harrison, to trumpet over all the city their own praises to our prejudice, making all believe that Cromwell alone, with his unspeakable valorous regiments, had done all that service. See by this enclosed, if the whole victory, both in the right and left wing, be not ascribed to Cromwell, and not a word of David Leslie, who, in all places this day, was their leader." Major-general Crawford, who was a presbyterian, and envious of Cromwell, stated that he, Cromwell, being wounded, retired from the field, and was not present at the second attack. Of this there is no proof; Cromwell was wounded, but it does not appear that he was for a moment absent from the head of his regiment. Hollis indeed says, Mem. p. 15, "Cromwell having got a slight wound in the neck, Crawford sent him out of the battle, and brought his brigade, then in great confusion, to charge again on the enemy." But this is merely a repetition of Crawford's story, and carries its own contradiction along with it. Cromwell's personal courage admits of no doubt, and his anxiety to distinguish himself would never allow him to retire from the field on a slight occasion. The ascendency which from this time he attained in the army, and in the parliament, sufficiently attest the importance of his services on this occasion; and his conduct in other engagements, shows that he did not need David Leslie to lead him on the road to victory.

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that county, Cheshire and Derbyshire, watch the motions of prince Rupert, and attempt the reduction of Liverpool; the earl of Manchester to march towards Lincolnshire, and recruit his army in the associated counties; and the Scottish army return northward, to meet the earl of Callander, who was expected with an additional force of ten thousand men, and again attempt the town of Newcastle; the possession of which was requisite, not only for keeping open a direct communication with Scotland, but also for supplying London with coals, the want of which had already begun to be severely felt in the capital.

xv. Callander, who had already entered England, and taken Hartlepool and Stockton, advanced to Newcastle on the 26th of July, before which he sat down; after some severe skirmishing, he possessed himself of Gateside, and on the 10th of August, was joined by the earl of Leven. The town was resolutely defended by sir John Morlay, till the middle of October, when the works being pushed forward, and preparations in readiness for an assault, the earl of Leven proposed terms to the besieged; but, after an interchange of messages for some days, they were finally rejected by the governor, in a contemptuous letter, on receipt of which the batteries opened furiously, and continued to play till nightfall, when all the mines being exploded, the Scots entered the breaches with great intrepidity, amid a shower of shot from the castle, the flanking towers, and the musketry. Still the besieged made a vigorous resistance, and for two hours, maintained at the walls and in the streets, a deperate conflict; thrice the horse in the town charged the assailants, as they forced an entrance near the close gate, but they were steadily received, and repulsed by the troops who had gained admission, and the reserve coming up, the garrison fled in every direction.

Earl of Leven takes Newcastle.

xvi. Yet, although they had met with such determined resistance, and suffered so severely on storming the place, no acts of atrocity stained the conquerors in the hour of victory; nor did they sully the honour they had gained, by any cold-blooded deed of revenge afterwards. The castle in which the governor, the earls of Crawford, Rea, and lord Maxwell, had sought refuge, surrendered at discretion; when

the former was sent to London to be tried, and the three Scottish noblemen, to their native country, to be disposed of by the estates.* Tynemouth castle, immediately after capitulated, the cannon and stores to be delivered up, and the soldiers, with their private baggage, to return to their homes, and submit to parliament. In Cumberland and Westmoreland, the people rose upon the commissioners of array, who endeavoured to inlist them for the king during the siege, and sent them prisoners to Leslie.

1644. Tynemouth castle capitulates.

XVII. Agreeably to their projected plan of operations, the high royalists in Scotland, as soon as the army moved into England, attempted to create such a diversion, as would either overthrow the power of the estates in their absence, or force them to be recalled for their support. Huntly, who received a commission from Charles, had, along with the other suspected noblemen, being required to take the Solemn League and Covenant, about the end of the year, 1643, but refused; having signed one covenant already, at the king's command, he would not, he said, sign another without it. An order was then, in accordance with the act of the estates, issued for his apprehension, and the sequestration of his lands. The sheriff having intimated this, at the castle of Strathbogie, the marquis began to prepare for resenting the affront; some of his adherents, among whom were Irvine of Drum, and the laird of Haddow, forcibly entered Aberdeen, with a troop of sixty horse, and after galloping through the streets, by way of bravado, plundered the house of one of the bailies of his gold rings and chains, and seized and carried off the lord provost and magistrates, as prisoners to Strathbogie. After securing the prisoners, Huntly proceeded himself, in martial order, to Aberdeen, which he plundered of all the arms and ammunition he could find, and issued two proclamations, one justifying his seizure of the provost and magistrates, as disaffected to his majesty, and the other, a declaration of hostility against the covenanters. Earl Marischal, immediately summoned the committees of Angus and Mearns, and sent a mandate to the marquis, to dismiss his followers. But the marquis, trust-

In the north.

Huntly sequestrated by the estates.

He plunders Aberdeen,

* Rushworth, vol. v p. 651. Whitelock, p. 104.

BOOK XI. 1644.

ing to the assurances he had received from Montrose, Crawford, and Nithsdale, that they would find sufficient employment for the covenanters in the south, sent an insulting reply to the committee, requiring them to disperse, and not interrupt the peace of the country. Intending to fortify Aberdeen, he made several ineffectual attempts to procure cannon from a ship of war in the roads; but disappointed in this, he despatched a force of about three hundred horse and foot, headed by Irvine, younger of Drum, his son-in-law, and major Nathaniel Gordon, to seize upon some brass cartoons* lying at Montrose. The inhabitants, who had been informed of the intended visit, had lighted fires upon the tops of the steeple, to alarm the country, and remained under arms, expecting their arrival. About two o'clock in the morning, they entered the place with their trumpets sounding, the common bell at the same time ringing to summon the town's people, some of whom received them bravely in the streets, while others fired from the "foreshots" briskly upon them; they, however, succeeded in clearing the causey, and gaining possession of the guns. A vessel was lying dry in the harbour, and the captors bargained with the provost for her, to carry them north to Aberdeen; but when she began to float, and the cannon were brought to the beach, the provost, who had shipped his own property on board, saluted the Huntleans with a round of grape and musketry, which forced them to retire with unexpected precipitation.

And Montrose.

Drum then returned to the town, and let loose the highlanders, who, possessing a natural genius for thieving, soon stript the merchants' booths, of their rich merchandise, cloths, silks, velvets, gold and silver work, and arms; and accidentally lighting on a pipe of Spanish wine, they, after carousing heartily, left Montrose pillaged and half ruined—having twice set it on fire—and in high spirits, proceeded to Corratchie, in expectation of being joined, by the earl of Airly; but he had heard of the marquis of Argyle's advance, and refused them admittance. They then returned in disorder to Aberdeen.

XVIII. The covenanters now beginning to gather in for-

* Small cannon.

midable numbers, the marquis assembled a council of his friends, and informed them that he had been induced to take the field by the assurance of an army from the south coming to his assistance, and in hopes of several of the lords in the north rising to join him, besides the reliance he had placed on the people of the country, who, he imagined, would have flocked eagerly to his banner, as they were grievously groaning under the tyranny of the estates; but he found that he had been deceived in his information, and had too rashly engaged in an enterprise which he had not the means of rendering successful. To give battle to such a force as was coming against him, would be madness; he, therefore, could only propose, to hang upon their flanks, harass their stragglers, and live at the expense of the enemy; and, if too hardly pressed, retire to the strengths of Strathbogie, Auchindown, or the Bog, and wait—in the hope of better fortune—till succour should arrive from the king. To this proposal his retainers readily assented. On hearing that his son, lord Gordon—for, as was common afterwards, the son and the father were on different sides—was arming against him at Banff, he immediately proceeded thither; but finding that his fears in that quarter were unfounded, he went home to Strathbogie, where his friends were assembled, with upwards of three hundred horse, and fifteen hundred foot. Among them, Gordon of Haddow, Irvine of Drum, and sir George Drummond of Gight, urged him strongly to put his plan of harassing the enemy into instant execution, but, he said, he had changed his mind, as he saw his forces were unequal to the fray; to which they tauntingly replied:—"We have shown ourselves foolishly, and will leave the field shamefully; we never thought better would come of it," and parted, each to shift for themselves, in high wrath. The marquis, next day, set the provost and magistrates of Aberdeen at liberty, and quietly retired himself to Auchindown.

Proposes to harass the covenanters.

Gives up the idea.

Deserted by his confederates.

Retires.

XIX. Argyle, on his arrival at Aberdeen,* learning that

* Spalding, vol. ii. p. 196. Although a great enemy of the covenanters, Spalding, in his account of this expedition, mentions that the town of Aberdeen received good payment for the troops. Spalding, vol. ii. pp. 184, 202.

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the laird of Haddow, with a number of his friends, had fortified themselves in the house of Kellie, marched thither with his army, and invested it; perceiving, however, that considerable time would be required to reduce it, he sent a trumpeter, offering pardon to all who were within, if they would surrender, except the laird. They, seeing no means of escape, accepted the conditions, Haddow twice attempted to treat, but could obtain no terms, and was obliged to throw himself on the mercy of the estates, which was the only favour Marischal, his own relative, could obtain for him. He was sent to Edinburgh, brought to trial, and executed on a charge of treason.*

Haddow taken.

xx. Huntly, afraid lest he should have been constrained to revisit his old quarters at Edinburgh, removed secretly to the Bog of Gight—now castle Gordon—accompanied by James Gordon of Letterfarrie, John Gordon, junior of Auchmunziel, and John Gordon, alias, John of Berwick, whence he brought away some trunks, filled with gold, silver, and valuable apparel, these he intrusted to the care of James Gordon, and John of Berwick; but their attachment to their chief, was not proof against the temptation of such a treasure. Finding by accident, a vessel bound for Caithness, they shipped the boxes, and leaving their master to his shifts, set off with the spoil. The marquis, who had

Huntly robbed by his friends.

* Laing remarks, on this transaction, "No blood had been shed in England, except in the field, and there hostilities had been conducted with the generosity peculiar to civilized nations, rarely experienced in external war. But when the first triennial parliament met in Scotland, Gordon of Haddow, a man, obnoxious for his oppressions, was convicted of a treasonable insurrection with Huntly, and, in order to infuse a salutary terror into the royalists, was inhumanly executed." Hist. of Scot. vol. iii. p. 276. Setting aside the inhumanities introduced when the king brought over the Irish troops into England, where no quarter was given—certainly no very generous mode of conducting civilized warfare—Mr. L. forgets, that captain Howard had been hanged by order of the parliament, and Turpin, a sea captain, by prince Rupert, who also executed fourteen clothiers, at Woodhouse, in Wiltshire. Ludlow, vol. i. p. 120. Rushworth, vol. v. p. 685. But Haddow's offence, was not only the being in arms, he had violently carried away the magistrates of Aberdeen, and imprisoned them for collecting taxes; he was also accused of the murder of Stalker, and several other atrocities. The manner in which the king's party carried on the war against the covenanters, required that some example should be made, to infuse a salutary terror into the royalists, and repress their wanton inhumanity.

one thousand dollars still remaining, unable to carry them with him, left them in charge of an Alexander Gordon, and procuring a small boat, set out after the faithless runaways. In his absence, Alexander, as treacherous as the others, betrayed his trust. On landing in Sutherlandshire, the most powerful chieftain of the north, was glad to find shelter in a paltry alehouse. Next day, with one solitary attendant, he rode to Caithness, and procured a lodging with his cousin-german, Francis Sinclair, where he unexpectedly met Letterfarrie, "to whom he gave no thanks, but took order with his trunks, and dismissed him." The day after, he proceeded by sea, to Strathnaver, where he remained in retirement, without molestation, till next year. Irvine, younger of Drum, the son-in-law of Huntly, attempting to make his escape with his new married lady, was driven into Caithness; and a reward having been offered for him, he was basely delivered up with his brothers, by the same Francis Sinclair, to whom the marquis had gone in his distress. War is ever accompanied by a sad deterioration of manners; but civil war, in general, exhibits in the treachery it introduces among friends, and the relentless cruelty it excites among opponents, a more degrading picture of our nature, than any other species of that malignant mischief.

Overtakes them in Caithness.

Where he remains.

Irvine of Drum betrayed.

XXI. Montrose—now decorated with the title of marquis—whose hyperbolical assurances had excited the north to premature insurrection, made an abortive attempt upon the south. Accompanied by two hundred horse, which the earl of Newcastle had furnished, and some militia from the counties of Cumberland and Northumberland, he entered Scotland and erected the royal standard at Dumfries; but disappointed in his expectations from Ireland, and not being joined by any of the inhabitants, while the earl of Callander was preparing to come against him with the new levies, he withdrew into England, and, after pillaging Morpeth, he was summoned to join prince Rupert, then advancing to raise the siege of York; but before he could arrive, the battle of Marston-moor had been fought, and all hope of assistance from that quarter cut off. Unable to raise, even the appear-

Montrose's proceedings in the south.

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ance of an army, he dismissed his associates,* with instructions to repair to the king, and adopted the only eligible plan left himself, that of proceeding to Scotland in disguise, to raise the highlanders, and await the arrival of the earl of Antrim's promised auxiliaries. To the king, after all his magnificent promises, he could not, and to the covenanters, after his detected treachery, he durst not go; it was, therefore, not an object of choice, but of necessity, whether he should proceed to the hills, as a romantic daring adventurer, rather than to court, as a deserted helpless fugitive; in the one case, he encountered danger, in the other, irremediable disgrace—nor was it without hazard.

He reaches Scotland in disguise.

XXII. With two companions only, colonel Sibbald, and sir William Rollock, he set out from Carlisle, for Scotland, habited as groom to Sibbald, and arrived safely at Tullibalton, near the foot of the Grampians, the residence of Patrick Graham of Inchbrakie, his most intimate friend. On the road, he was accosted by a Scottish soldier, who had served under the marquis of Newcastle, and recognised by him, in spite of his disguise; but he gave him a piece of money, and the man kept the secret. Here he passed a week of anxious expectation, in solitary rambles among the mountains during the day, resting in an obscure cottage during the night, and, to his unspeakable mortification, learned that Huntly had been dispersed, without a blow, and was like himself, lurking in obscurity, in a wild corner of the land. Rumours of the approach of the Irish, at length cheered him; but instead of an army of ten thousand, only about sixteen hundred desperadoes, who had been trained to arms and inured to murder, in the rebellion under Antrim, had landed under Alaster Macdonald, in Ardnamurchan, Argyleshire; and after spreading destruction and death throughout the whole district—destroying what they could not use, and burning what they could not remove—upon hearing that the marquis of Argyle was advancing against them, precipitately crossed to the isle of Sky, and thence to Kintail, in Ross-shire. At their

Irish land —waste Argyleshire.

Reach Ross-shire.

* These were the Ogilvies, Inneses, Grahams, and Dr. Wishart, who afterwards wrote the Memoirs of Montrose; they were, however, taken prisoners in their way to the king, and sent to Scotland, where they remained in jail till delivered by the battle of Kilsyth

g, Macdonald sent a fiery cross* through Moray, Ross, ess, and Sutherlandshire, ordering the whole coun- attend the king's lieutenant, the lord marquis of Mon- under pain of fire and sword. The committee at urgh, in return, as soon as they heard of Macdonald's dings, sent orders, that proclamation should be made he parish churches, and market places in the northern es, to assemble the fencible men to oppose them. Ig- of the situation or fate of their leader, and alike un- of their own destination, they traversed the wide of Lochaber and Badenoch, receiving an accession of rs from the clans, but no intelligence respecting the hey were to take, or the forces with whom they were perate.

Joined by the clans.

1. Montrose, better informed of their motions, pre- himself in the common dress of the mountaineers— ews and bonnet—accompanied by only one single at- t, to the surprised marauders, as they descended into

At first, they could not believe, that one so meanly d, and so poorly accompanied, was the great general ad been led to expect; nor was it, till the respect im by the highlanders, who were acquainted with his , convinced them that he was indeed the chief, that ould acknowledge his authority. His name attracted en of Athol, and the party soon assumed the appear-

By Montrose.

en a chieftain designed to summon his clan upon any sudden or im- mergency, he slew a goat, and making a cross of any light wood, sear- tremities in the fire, and extinguished them in the blood of the animal. s called the fiery cross, also *Crean Tarigh*, or the cross of shame, be- obedience to what the symbol implied, inferred infamy. It was deli- a swift and trusty messenger, who ran full speed with it to the next where he presented it to the principal person, with a single word im- e place of rendezvous. He who received the symbol, was bound to orward with equal despatch to the next village; and thus it passed with e celerity through all the district which owed allegiance to the chief, among his allies and neighbours, if the danger was common to them. ight of the fiery cross, every man from sixteen years to sixty, capable g arms, was obliged instantly to repair in his best arms and accoutre- the place of rendezvous. He who failed to appear suffered the extre- f fire and sword, which were emblematically denounced to the disobe- the bloody and burned marks upon the warlike signal.—Notes to the the Lake, 8vo. edit. p. 333.

BOOK XI

ance of an army, which his eulogists, who, to magnify his valour diminish his strength, estimate at three thousand.

1644. He plunders Strathearn,

He instantly marched through Strathearn, and commenced his career, by plundering the lands, destroying the corn, and burning the houses of the hostile clan, Menzies. His situation was critical, and admitted of no delay. The marquis of Argyle was behind, in pursuit of the Irish, and between six and seven thousand troops, under the command of lord Elcho, were stationed near Perth. To prevent being hemmed in, it was necessary to move; retreat was impossible, as the passes were all in possession of the enemy, and the seas guarded by hostile vessels. In front, the troops were inferior to his own; the Irish were veterans, and the highlanders accustomed to irregular combat; but the levies under Elcho, were raw and untrained, officered by men who had never seen an engagement, and commanded by superiors who were not unjustly suspected of disaffection to the cause; to advance, therefore, was his most prudent measure.

And proceeds for Perth.

XXIV. On his march he was joined by lord Kilpont, son of the earl of Monteith, and sir John Drummond, son of the earl of Perth, with five hundred men who had been intrusted to them by the covenanters, for the defence of the country against their savage invaders; but who set an example of treachery, which was aptly imitated. Four miles west from Perth, the covenanters had drawn up their army upon the large plain of Tippermuir, and awaited the descent of the enemy. Montrose arranged his troops, as preconcerted with some of the opposite leaders. The Irish, armed with muskets alone, he placed in the centre; and, as he had no cavalry, he stationed the highlanders, accustomed to the sword, and able to wield it with tremendous effect, on the flanks, to sustain the attack of the enemy's horse. But, at the first assault, the covenanters' horse fled, overpowered, says Wishart, by a shower of stones, or what is more probable, induced by the treachery of lord Drummond, and his friend Gask. Their flight threw the ill-disciplined foot into instant and irremediable disorder, and they followed in such rapid and fearful confusion, that many expired through fatigue and terror, without the mark of a wound.* The number slain in

Battle of Tippermuir.

* Baillie, vol. ii. p. 91.

engagement was small, but the rout was complete, and ut three hundred were killed in the pursuit. The artil-, ammunition and baggage of the vanquished, fell into hands of the victors, whose loss was but trifling. Drum-d and his friend justified the imputation of treachery in battle, by openly joining the marquis immediately after.

XV. This victory, so opportunely gained, made Montrose ter of Perth; and provided his troops with clothing and nunition, of which they had previously only a very scanty ly. The town was plundered of money, goods, and tever was necessary for the troops, or whatever articles e valuable and portable; but not being perfectly stripped, historian has represented this usage as a very "singular nce of clemency, to reconcile the people more effectually he king;*" and merciful it certainly was, in comparison he sack of Aberdeen—yet the stoutest young men were ressed into the ranks, and all the horses fit for service ed.† After spoiling Perth for three days, he entered us; and his success attracted around him the earl of y, his sons, sir Thomas and sir David Ogilvy, the earl Kinnoul, lords Duplin and Spynie, and colonel Gordon, n the north, with a number of horsemen. Dundee, re-rced by troops from Fife, refused to surrender at his mons; and, as he dreaded the approach of Argyle, he t his steps northward, rather than risk his laurels in a btful siege.

Plunders Perth.

Retreats to the north.

XVI. Alarmed at his approach, the committee in Aber-n sent off the public money, and their most valuable ef-s, to Dunnotter; and collecting a force of about two sand seven hundred men, they threw up some fortifica-s at the bridge of Dee, expecting him to advance by that l. He crossed a ford farther up, at the mills of Drum,

Wishart's Memoirs of Montrose, p. 81.

Spalding, Hist. vol. ii. p. 233. Baillie, vol. ii. p. 92. In an original letter the ministers of Perth, respecting the surrender of that town, published Scots Magaz. Nov. 1817, the conditions upon which Perth surrendered, sted to have been, that the town and parish should not be burdened with ning against their conscience; that they should not be rifled or plundered; one of their men should be pressed; that none of the Irishes should get ; and, that all their good neighbours should have a pass honestlie to quit wn.

BOOK XI.

1644. Summons Aberdeen.

and halting, sent a summons to the town to surrender; but the covenanters' army being on their march, the messengers who brought the summons were hospitably entertained, and dismissed.

XXVII. By some accident, the drummer, on his return, being killed, Montrose, in a rage, commanded an immediate attack, and issued the inhuman orders for no quarter.* Lord Burleigh, and Lewis Gordon, a son of Huntly's, led the covenanters' right and left wings, which consisted of horse, and the levies of Aberdeenshire, a majority of whom were indifferent in the cause. The centre was composed of the Fife soldiers, and those that from principle had joined them. Montrose, still deficient in cavalry, had mixed his musketeers with his horse, and waited to receive the attack. Lord Lewis Gordon, a rash and headstrong young man, who had forced a number of the Gordons to engage in opposition to the inclination and orders of his father, rushed precipitately forward with the left wing, which being steadily saluted by a fire of musketry—a reception they did not expect—were suddenly checked; and before they could rally, were vigorously attacked and routed by the inferior numbers of the enemy's horse. The opposite wing experienced a similar fate; but the centre stood firm, and maintained their post for upwards of two hours, against the whole force of the enemy, whose cavalry, returning from the pursuit, joined in the assault. At last, the Aberdonians gave way, and having been directed to retreat to the town in case of disaster, they fled thither, while the relentless victors hotly pursuing, fulfilled to the letter the injunctions of their leader, so consonant to their bosoms and practice;—"killed all, and spared none." In the fields, in the streets, or in their houses, armed, or unarmed, no man found mercy; only, if he were well dressed, the savages first stripped him, to save his clothes from being stained with his blood, and then murdered him. "The plundering of our town, houses, merchants booths and all," says a loyal burgess, strongly attached to Charles, "was pitiful to see!"†

Defeats the covenanters.

* Spalding, vol. ii. p. 236.

† Spalding ascribes this to the absence of the ministers, "because the ministers, through the guiltiness of their consciences, had fled." He is an admir

XXVIII. Montrose, who had promised the soldiers the plunder of the town, durst not let loose the whole army upon the inhabitants; he therefore returned to a body which he kept together for protection, and left the wretched place during the night to the mercy of the Irish, who revelled in unrestrained blood, lust, and rapine. They kept "killing, robbing, and plundering at their pleasure, and nothing was heard but houling and crying, weeping and mourning, through all the streets." Next day rose dismal on the desolated town; the dead were lying naked on the streets, and no one durst approach to bury them. But the havock did not cease even with the first horrible night; for four days were the inhuman monsters allowed to riot in all the wanton barbarity to which the scenes in their own country had accustomed them. If the wife or the daughter dared to weep at the assassination before their eyes, of a husband or father, their lives were the forfeit of their natural feelings; and not content with forcing the women they seized in the town, they carried others away to serve their brutal purposes in the camp. "It is lamentable!" exclaims the writer already quoted, "to hear how these Irish, who had gotten the spoil of the town, did abuse the same! They continued Friday, Saturday, Sunday, and Monday," and all this in the presence, and under the immediate authority of the "gallant Montrose," who lodged in "skipper Anderson's" house. On Saturday he proclaimed prince Rupert regent of the kingdom, and himself his lieutenant-general. "Sunday all day he stays, but neither preaching nor prayers was in any of the Aberdeens."*

Sacks the town.

Proclaims prince Rupert regent and himself lieutenant-general.

XXIX. Argyle's approach forced the plunderers to leave

er of Montrose, and a staunch friend, but he was an eye witness of his atrocities. Some idea may be formed of the impartiality of Wishart's panegyric, who dismisses this terrible scene in a sentence. "Montrose having called back his men to their colours, entered the city, and allowed them two days rest to refresh themselves." Memoirs of Montrose, p. 91. Bishop Guthrie still more impudently asserts, that Montrose "showed great mercy, both pardoning the people, and protecting their goods." Memoirs, p. 158. Much as the presbyterian chaplains have been traduced, I believe it would be difficult to point out any proceedings, that bore the smallest resemblance in horror to the sack of Aberdeen, in any place where they were present.

* Spalding, vol. ii. pp. 236–8.

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the work of destruction; their leader, who expected to be joined by the marquis of Huntly's retainers, marched north to Inverury; but—the marquis himself being absent, his son, with the covenanters and his friends, recollecting the insult he had formerly received from Montrose, together with the expectation of Argyle's speedy advance, and the remembrance of his former visit—very few joined his banners. When he approached the Spey, he found the boats removed to the other side, and the whole force of Moray prepared to dispute the passage. In this dilemma, no resource remained, but to seek refuge in the woods, and among the hills; but his rapid marches, and the tardy movements of his pursuers enabled him to reach in safety, though with the loss of his artillery and heavy baggage, the wilds of Badenoch, where, with diminished numbers—for the highlanders returned home to secure their booty—he could bid defiance to the approach of horse. Being detained here for a few days by an illness occasioned through over fatigue, as soon as he recovered, he descended again into Athol to recruit, and despatched Macdonald with the Irish, on the same errand into the highlands, to invite the mountaineers to join him, and force such as were unwilling to enlist. From Athol he entered Angus, and wasted the estates of lord Cupar, Balmerino's brother, plundered the place of Dun, where the inhabitants of Montrose and the surrounding country had deposited their valuables for safety, and where he obtained a supply of arms and artillery. Argyle, whose talents were not adapted to the field, accompanied by the earl of Lothian—equally unskilled in military affairs—as his lieutenant, after having proclaimed him a traitor, and offered a reward of twenty thousand pounds for his head, followed—but at a distance—the footsteps of Montrose; and although possessed of a superior army, he performed the circuit of the highlands, from Aberdeen to Inverness, through Strathspey, Badenoch, Athol, Angus, and Mearns, yet was never able to bring him to an engagement, or interrupt his progress.

Retires to Badenoch

Returns southward.

Argyle's fruitless pursuit.

xxx. Increased in numbers, Montrose suddenly repassed the Grampians; and spreading devastation around him, went again to attempt rousing the Gordons. His former expedition was marked by spoliation on every side; his present

His increased devastations.

march, increasingly destructive, was distinguished by the conflagration of the chief covenanters' houses, and the more infamous flames of the corn yards. Disappointed still in gaining any accession from among Huntly's friends, he took Fyvie castle,* but was himself very nearly surprised.

1644. Takes Fyvie castle.

xxxi. With such men as his, he ought always to have been in possession of the earliest intelligence respecting the motions of his enemies; but in this most essential part of a general's duty, he was almost always defective. Argyle and Lothian, at the head of nearly three thousand horse and foot, were within two miles of his camp, before he had heard of their having crossed the Grampians; and if they had not been even still more deficient in generalship than he, the career of the hero must have closed at Fyvie—but his good fortune triumphed; his courage, presence of mind, and that skill which enabled him to manage to advantage that species of force which he commanded, extricated him from his perilous situation. He distributed his men on the heights, and among the ditches and fences, where they could not be attacked but with hazard; and after sustaining two assaults from very superior numbers, eluding the enemy by stratagem, he drew off his whole troops by night, without loss, to Strathbogie, and thence to Badenoch, where he expected Macdonald with the Irish, and re-enforcements. Argyle, whose army had been greatly neglected, and had suffered much from desertion, returned to Edinburgh in disgust, and threw up his commission.

Battle of Fyvie.

Argyle throws up his commission.

xxxii. At this period, the high courts of church and state met about the same time, the intimate connexion between religion and politics rendering this necessary; not only because the general measures to be consulted upon, but because the leading men in each, were the same. They were both convoked this year without the authority of the king, and no commissioner attended either. The general assembly sat first; and after receiving the report of their commissioners at Westminster and letters from the assembly of divines, communicating their progress in the work of uniformity, and lamenting their many hindrances, from the dis-

General assembly.

* Then belonging to the earl of Dunfermline.

BOOK XI.

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Censures the nobles who had joined the king.

turbances of the public, and the prevalence of sectaries, they proceeded to censure the Scottish lords, who had signed a bond at Oxford disclaiming the Solemn League and Covenant as traitorous and damnable; renouncing the authority of the convention or parliament, without his majesty's consent; and pledging their honour to employ their uttermost powers and abilities, both with their lives and fortunes, to suppress the rebels in arms against the king; and passed an act authorizing their commission to proceed against them with the greater excommunication, unless they publicly acknowledged their offence. Montrose and Huntly, with their adherents, had their censures confirmed; and the presbyteries and synods, within whose bounds they resided, were ordered to proceed against them in due form. This conduct has been condemned as an improper interference of the church in matters of state; but where a church acknowledges any government, as that which in conscience their members are bound to obey, it naturally follows, that they must consider those who refuse obedience as rebels, and cannot consistently allow them to remain in their communion. By an overture submitted to this assembly, it would appear to have been a practice for the young gentlemen attending college, to get inveigled into improper connexions, without the consent of their parents; and it was proposed to declare all promises of marriage given in such circumstances by minors, who afterwards were unwilling to fulfil them, void and illegal; but the assembly remitted the consideration to presbyteries, and more important discussions soon occurred to occupy their attention.

Confirms the sentence against Montrose and Huntly.

Parliament

XXXIII. Parliament, which met, on the 4th of June, according to the triennial act, chose John, earl of Lauderdale, president; and formally ratified the acts of the preceding convention, the Solemn League and Covenant, the treaty with England, and the excise*. They appointed the chancellor Lor-

* This excise, which was not more popular then, than a similar measure at a later date, imposed on every pint of home made ale and small beer, 4d.; on foreign imported, 1s.; on strong beer, by the brewer or housekeeper, 6d.; French wine, per pint, 1s. 4d.; Spanish do. 2s. 8d.; aquavitæ, per pint, 2s. 8d.; tobacco, per lib. 6d.; on every slaughtered ox, bull, or cow, value sixteen pounds, or above, 20s.; on every one under that price, 13s. 4d.; all

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don, Argyle, Balmerino, Warriston, Cambuskeneth, sir John Smith, provost of Edinburgh, Hugh Kennedy, provost of Ayr, Robert Barclay of Irvine, and lord Maitland, as supernumerary, or any three of them, to proceed to England as commissioners, to act in concert with the English parliament, in their negotiations with the king. They declared the imprisonment of the duke of Hamilton, for crimes said to have been committed in Scotland, a breach of law; forfeited the earls of Crawford and Forth, lord Yethan, Haddow, and Captain Logie; and after appointing a number of committees, prorogued their sitting till the first Tuesday of January, 1645.

Appoints commissioners to negotiate with the king in concert with the English.

Prorogues itself.

xxxiv. During these transactions in Scotland, where the prospects of Charles seemed to brighten a little, by the appearance of that baleful meteor that was to deceive and hurry him on to his fate, his fortune in England, though chequered, improved on the whole; and at the close of the year, was much more favourable than could have been prognosticated, after the fatal result of Marston-moor. The parliamentary force was divided into two armies, one under Essex, and the other commanded by Waller; but envious of each other's influence or fame, they did not act with cordial union. In opposition to the desire of the parliamentary committee, Essex marched into Cornwall against prince Maurice, and sent Waller to watch the progress of his majesty; who outmanœuvred him, and, after a skirmish at

King's affairs in England begin to recover.

oxen, bulls, or kine, transported, per head, 4s. On all sheep, slaughtered or transported, if above 40s. value, 4s. if under, 2s.; all slaughtered stirks of 8 lib. price, or above, 6s. 4d.; under, 4s.; calves or goats, 40s. value, 4s. under, 2s; on all swine, 6d.; lambs and kids, 2s.; on every ell of silk, from 5 merks value to 10, 6s. 4d. above that value, 10s.; plush, or pan velvet, per do. 20s; satin, 13s. 4d.; every ounce of gold lace 13s. 4d.; ell of gold or silver cloth, 3 lib.; a beaver hat, 12s.; pair of silk stockings, 13s. 4d.; broad cloth, per ell, retailed at seven pounds, 6s. above that price, 12s.; cambric, lawn, or Holland, or Holland cloth, for the value of every 20s. 1s. Coal exported in Scottish or English bottoms, to the value of twelve pounds, 6s.; in foreign bottoms, 12s. From this list it will appear, that the art of taxation is not to be reckoned among the new discoveries of this enlightened age; and neither, it will be seen, is the most popular government always the cheapest; but then, there is a health and a vigour in popular governments, which enables the body politic to supply the additional drain. The Turks do not pay a tithe of taxation, in comparison of Britain.

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Cropreedy bridge, obliged him to retire to London to recruit. The king, thus left disengaged, directed his attention towards Essex; and, in a narrow country of defiles and passes, so hemmed in the parliamentary army, that, unable to extricate them, their general desperately forced his way with the cavalry to Plymouth, and left his infantry to capitulate. Their determined front gained good terms; they surrendered their arms, but were allowed to depart without any stipulation. In little more than a month, re-organized under a new leader—the earl of Manchester—they were again in battle against him, and at Newbury, retook the artillery they had lost at Foy; yet, this officer, although superior in numbers and victorious, allowed the king to withdraw his artillery from Dennington castle without molestation, and conclude the campaign with credit, by a safe march to Oxford.

The people dissatisfied with the conduct of the war.

xxxv. Both parties being still so equally balanced, the termination of the war seemed as distant as ever; and the nation, wearied with the protracted hostilities which they had not anticipated, murmured at the manner in which it was conducted; and, as usual in cases of public dissatisfaction, the parties endeavoured each to exculpate himself, by attempting to affix the blame on another. Essex and Waller were unfortunate; and their mutual recriminations were just what was to be expected. Manchester had been successful, but had not followed up his success; and the affair at Dennington castle was urged as a proof of either his incapacity, or unwillingness to strike such a decisive blow as would reduce the king to a state in which peace might be safely concluded with him. But the noble generals were suspected of being actuated by that corporate feeling, which beheld with jealousy the increasing power of the commons; and looked towards the restoration of the king, upon such terms as would sustain their waneing influence in the government, and regain them their lost weight in the country, as of greater consequence than the establishment of proper safeguards against the despotic encroachments of royalty. They owed their appointment and continuance in command to parliamentary influence; and it was evident that their errors or misconduct, tended to lessen the hold their employers had upon the public, as well as endanger the public

cause. This rendered it necessary that some measure should be adopted, to allay the dissatisfaction which was openly expressed without doors, and secretly entertained by the majority within; but although it had been voted a twelvemonth before, that the members of parliament, with some exceptions, should not hold places, and an inquiry had been instituted into the number and emoluments of these now enjoyed, and the plain way to confirm the wavering confidence of the public was pointed out—that of simply carrying their own resolutions into effect—yet no one had the courage to bring the subject fairly before the legislature, till Cromwell, in a manly, convincing, and forcible speech, introduced it.

Cromwell brings the matter before parliament.

XXXVI. In language the reverse of "confused and inelegant," he told them, "That it was now a time to speak, or for ever to hold the tongue; the important occasion being no less than to save a nation out of a bleeding, nay, almost a dying condition, which the long continuance of the war had already brought it into; so that without a more speedy, vigorous, and effectual prosecution of the war, casting off all lingering proceedings—like soldiers of fortune beyond sea—to spin out a war, we shall make the kingdom weary of us, and hate the name of a parliament. For what do the enemy say? nay, what do many say, that were friends at the beginning of this parliament? Even this, that the members of both houses have got great places and commands, and the sword into their hands; and what by interest in parliament, and what by power in the army, will perpetually continue themselves in grandeur, and not permit the war speedily to end, lest their own power should determine with it. This I speak here to our own faces, is but what others do utter abroad behind our backs. I am far from reflecting on any. I know the worth of these commanders, members of both houses, who are yet in power; but if I may speak my conscience without reflection upon any, I do conceive, if the army be not put into another method, and the war more vigorously prosecuted, the people can bear the war no longer, and will enforce you to a dishonourable peace. But this I would recommend to your prudence, not to insist upon any complaint or oversight of any commander-in-chief, upon any

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occasion whatsoever; for as I must acknowledge myself guilty of oversights, so I know they can rarely be avoided in military affairs. Therefore, waving a strict inquiry into the causes of these things, let us apply ourselves to the remedy that is most necessary, and I hope we have such true English hearts, and zealous affections towards the general weal of our mother country, that no members of either house will scruple to deny themselves their own private interests for the public good; nor account it a dishonour done to them, whatever the parliament shall resolve upon in this weighty affair."

XXXVII. Silence thus broken, a debate ensued, which ended in the adoption of a motion by Zoach Tate, seconded by the younger Vane, for leave to bring in a bill, excluding all members of parliament from holding any command in the army; and on the same day, a fast was ordered to be held, for imploring God's blessing on their measures. Two days after, the bill was brought in, and read a first time. On the 14th, it was read, and referred to a committee of the whole house, where an amendment in favour of the lord general, and another, obligatory on all officers accepting commands, to obey whatever form of church government should be agreed upon by parliament and the assembly of divines, were introduced. After a long discussion, the first was negatived, and the consideration of the other adjourned till the day after the fast; when, on the house being resumed, the self-denying ordinance, as it was termed, went through the commons. On the 15th January, it was rejected by the lords, as striking especially at Essex and Manchester; but the commons having adopted a new model for the army, by which the whole was recast, and intrusted entirely to sir Thomas Fairfax, as general, and Skippon, as sergeant-major-general, the upper house could not with decency object; and Manchester and Essex, who saw their power entirely gone, voluntarily threw up their commissions. The chief obstacle to the self-denying ordinance being thus removed, it was again brought forward by the commons, and on the 1st of April, finally passed both houses.*

Bill for re-modelling the army

Passed.

* This measure, which was opposed by Whitelock, with arguments drawn from the practice of Greece and Rome, is ably discussed by Brodie, Hist. of the British Empire, vol. iii. pp. 542—559; and the arguments of Whitelock

xxxviii. Peace, for which the moderate men on both sides ;hed, was urged so strongly upon the king by the mongrel rliament—as he himself styled the noblemen and commons io had, in obedience to his summons, assembled at Oxford that in spite of his own inclination, he was compelled to ike advances to the two houses at Westminster, during the nmer and autumn; and they, although they were dissatis- d at his refusal to acknowledge them as a parliament, to nce that they were not averse to negotiate, if they could is promote the welfare of the country, or bring hostilities a happy termination, consented to nominate commission- , who, along with the Scottish deputies, should repair with positions to Oxford.* The king having failed to seduce ne of the party, dismissed the whole haughtily, with a led letter undirected, desiring a safe-conduct for the duke Richmond and the earl of Southampton, to be sent by the g, to fetch an answer to the propositions. It was now essary to address the lords and commons at Westminster, parliament assembled; and the king consented to do this; t under a secret protest, that his calling them a legal as- nbly, was not acknowledging them as such; an inauspicious mmencement of a negotiation, where the previous distrust royal sincerity was the principal obstruction to treat, and e chief cause of the most unpleasant and harsh of the par- ment's proposals.

The king proposes peace to the parliament.

His treatment of their commissioners

d Hume satisfactorily answered. But the question is one of great delicacy, n in the settled state of the British constitution; because, while the royal rogative remains, to promote or dismiss at pleasure, officers, being mem- rs, are placed in a situation of strong temptation to support every measure the crown; while the exclusion of officers from parliament would be to parate entirely the soldier from the citizen, a distinction already too wide. would perhaps be trenching upon the prerogative, for parliament to inter- re in the nomination of officers; but it would destroy no useful part of it, take away the power of dismissing, without assigning a reason. The policy the parliament in the present case, was adapted to a state in which it is to fervently hoped these kingdoms may never again be placed, and is not to argued upon, either from the principles of the constitution, as it existed fore or since the revolution, nor is it to be judged of by consequences which uld not then be foreseen. Had it passed both houses when first proposed, is evident that Cromwell must have resigned, as well as Essex and Manches- ; it was the delay in passing it, and the circumstances which took place ring that delay, that originated the protectorate, not the measure itself.

* The Scottish commissioners were lord Maitland, sir Charles Erskine, Mr. w Kennedy, Mr. Barclay, and Mr. Henderson.

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xxxix. When his majesty's commissioners arrived in London, they attempted to heighten the jealousies which had already begun to spring up among the parliamentary leaders and the Scottish deputies, insidiously to detach their interests, and gain them separately; but they had too acute statesmen to deal with: their designs were perceived, and their departure hastened, when their immediate ostensible business was settled. Uxbridge was the place agreed upon for the negotiations which were to be managed by commissioners:—sixteen from the king, twelve from the parliament, and four from the Scots, beside Mr. Henderson, who was to watch over the interests of the church. The three material points;—religion, the militia, and Ireland, were to be discussed alternately, three days each at a time, commencing with religion; and the deliberations were not to be protracted beyond twenty days.

Negotiations at Uxbridge.

Points to be settled.

Religion.

xl. Religion, the subject of the first three days' debate, was now a question, not of modifying the rites and ceremonies of episcopacy, or abridging the power of the bishops, but whether another form of church government, entirely opposite, should be introduced. That Charles was not attached, from a principle of conscience, to any particular form, is sufficiently apparent from his conduct while last in Scotland. He considered the influence which the particular constitution of the English church gave the king, as of the utmost importance in forwarding his schemes against the liberties of his people, and therefore he was determined that the hierarchy, under some shape, should be retained;* knowing that if this were allowed, occasions would present themselves for reinstating the priesthood in all its pomp and power. Parliament was now pledged to the rooting out of prelacy, with all its different orders, and a majority were inclined for the introduction of presbytery, as the legal establishment; but a respectable minority were the advocates for

* "As the king's duty is to protect the church, so it is the church's to assist the king in the maintenance of his just authority; wherefore, my predecessors have been always careful, especially since the reformation, to keep the dependancy of the clergy entirely upon the crown, without which, it will scarcely sit fast upon the king's head; therefore you must do nothing to change or lessen this necessary dependancy." Charles' Directions for his Uxbridge Commissioners. Rush. vol. v. p. 945.

toleration, nor wished to surrender into the hands of a synod or general assembly, that liberty of conscience they had rescued from the royal and episcopal grasp.

XLI. Trusting to this difference of opinion among his opponents, his majesty hoped to render their dissension subservient to his purpose, yet they were both united in their dread of prelatical power, and their desire for its extirpation; the persecution they had so recently endured from the bishops was still fresh, and their dissensions were repressed, till their late formidable enemy were completely destroyed. The policy of the question was kept in the back ground; and when presbyterial government was debated, its scriptural authority was the principal point that was agitated. Dr. Stewart contended, with much learning and great warmth against the introduction of presbytery into the realm of England, which had been so long under episcopacy, which, he affirmed, was more suitable to the church, and asserted to be *jure divino*. Mr. Henderson and Mr. Marshall answered the doctor; defended presbytery, as more consonant to the word of God than episcopacy, and claimed for it also to be *jure divino*. This disputation—as is frequently the case in polemics—while it did not convert the disputants themselves, appears to have been more effectual in convincing their auditors, that neither of them had succeeded in establishing their positions. The marquis of Hertford closed the debate by remarking, "My lords, here is much said concerning church government in the general; the reverend doctors on the king's part affirm, that episcopacy is *jure divino;* the reverend ministers of the other part do affirm, that presbytery is *jure divino*. For my part, I think that neither the one nor the other, nor any government whatsoever, is *jure divino*, and I desire we may leave that article, and proceed in the general proposals."

Debates respecting presbytery and episcopacy.

XLII. It was, in consequence, agreed, that the English and Scottish commissioners on this point, should give in their demands in writing, which they accordingly did. They required:—"That the king should pass the bill for abolishing episcopacy, taking away archbishops, bishops, deans and chapters, and sequestrating their revenues for other purposes; that the ordinance, authorizing and calling the assembly of divines, should be confirmed by acts of parlia-

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ment; that the directory for public worship, prepared by them, and passed by both houses, be ratified; and the presbyterian form of church government proposed by the assembly, and approved of by the houses, enacted as a part of the reformation of religion and uniformity; and, that his majesty subscribe the Solemn League and Covenant, and the covenant be enjoined to be taken throughout the kingdom." These were met by a counter project from the king. He proposed, for procuring a blessed peace, what, at an earlier period might have prevented war, "that freedom be left to all persons, of what opinions soever, in matters of ceremony, and that all the penalties of the laws and customs, which enjoin these ceremonies, be suspended;" but now this was only considered as an apple of discord thrown among the brethren. The title of bishops he desired to be retained, and consented that they should exercise no act of jurisdiction or ordination, without the consent and counsel of the presbyters, who should be chosen by the clergy of each diocess, out of the learnedest and gravest ministers of that diocess; that the bishop keep his constant residence in his diocess, except when he shall be required by his majesty to attend him on any occasion; and that—if he be not hindered by the infirmities of old age or sickness—he preach every Sunday in some church within his diocess; that the ordination of ministers shall be always in a public and solemn manner, and very strict rules observed concerning the sufficiency, and other qualifications of those men who shall be received into holy orders, and the bishops shall not receive any into holy orders, without the approbation and consent of the presbyters, or the major part of them; that competent maintenance and provision be established by act of parliament, to such vicarages as belong to bishops, deans and chapters, out of the impropriations of the several parishes; that for the time to come, no person shall be capable of two parsonages or vicarages, with cure of souls; that towards the settling of the public peace, one hundred thousand pounds shall be raised by act of parliament, out of the estates of the bishops, deans and chapters, in such manner as shall be thought fit by the king and two houses of parliament, without the alienation of the church lands,

The king's answer.

Conclusion of the debate.

with several other lesser regulations. To the re-establishment of the hierarchy in any shape, the commissioners would not consent; and the king would not agree to its total abolition. So ended the religious branch of the negotiations. But, ere they were closed, Laud, to whose childish affection for pompous vestments, and whose superstitious reverence for idle, impertinent, and sometimes almost profane ceremonies and rites, were to be attributed much of the disasters of his master, was brought to trial, and atoned on the scaffold for the blood which his obstinate perseverance in attempting to lord it over men's consciences, had caused to be shed.

Laud executed.

XLIII. On the next three days the militia was introduced; and Hyde, afterward lord Clarendon, insisted that it should be held for granted, that the whole power of the militia is by the law of England, in the king only. This position Whitelock denied. He undertook to prove, that the law did not positively assert where that power was lodged; and the lawyers seemed emulous to rival the divines in the length, subtlety, and refinement of their disputations, when the earl of Southampton interfered; and adverting to the time already spent on the subject of religion, observed, although he should be very glad to hear both of the worthy gentlemen argue the matter, and did not doubt but that they would receive much gratification, yet he thought it would more conduce to a settlement, to decline the debate about the legal question, and proceed at once to the propositions respecting it.*

Militia.

* Whitelock, who was an Erastian, had no great affection for the Scots; and he sometimes discovers his dislike in the representation he gives of them in such a petted, childish-like manner, that it is impossible to resist a smile; of course allowance must be made for this shading in all his pictures. Precedence, it seems, was a contested point among the parliamentary and Scottish commissioners. On the first night of their being together, a little before supper, the lord chancellor of Scotland intimated his expectation that he should have the precedence of all the English lords, both at the table and at the meetings, and that Berkley and Kennedy—or Kennedagh, as he styles him—should have the same of the English commissioners, who were but esquires. The two last, however, were informed that Whitelock and Crew were the eldest sons of knights, who took rank next to knights, on which the burgesses gave up the contest for themselves, only they stickled for their chancellor; "At which," remarks Whitelock, "the earl of Northumberland smiled, and seemed to contemn it, of whose great honour and family, and the antiquity of it, the Scottish commissioners could not be ignorant, nor of the difference

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XLIV. The power of the sword, as it is that in all governments which settles the final pre-eminence of any particular member, so it is the most difficult to adjust satisfactorily or safely, in a mixed monarchy, in revolutionary times. The king, as the feudal chiefs had, in all the European states, possessed the power of summoning his vassals to his standard; and so long as the government of the countries consisted in a subordination of subjects who held their lands by tenure of military servitude, he, as the head, was nominally intrusted with a power, which a thousand concurring circumstances tended practically to abridge, except when an army was embodied and fairly in the field. During the aristocratical freedom of feudal times, this frequently occasioned a clashing of rights between the monarch and the nobles; but when the commons became emancipated from villanage, and the progress of the reformation raised them to their proper scale in society, armies were no longer composed of the vassal and his lord, but of men voluntarily enlisted, or pressed into the service, who formed a new species of force, the direction of which, in countries where the government was framed upon principles of freedom, became an object of most serious concern, and was at this time, in England, a point undecided by law.

XLV. Parliament, who justly dreaded that any concessions which might be wrung from the king would prove entirely nugatory, if he were allowed to retain the management of a force—such as he then commanded—now become so alarming to the cause of liberty, from the composition of its parts, and its entire devotion to its leaders, without any regard to principles, required, that by act of parliament, the subjects of the kingdom of England should be appointed to be armed, trained, and disciplined in such a manner as both

Proposals of parliament,

between that and the earl of Loudon Yet Northumberland moved, for satisfaction of the Scots commissioners, might sit at the upper end of the table—which was not taken for the chief, but for the woman's place—and the rest of the commissioners sat in their rank on either side, and so that matter was for the present settled." He then sarcastically subjoins, "officers had been sent down by the parliament to prepare all things fit for the commissioners, and for their diet and entertainment, at which the Scots commissioners were contented to have their share." There was no contention about that.

houses should think fit; and in like manner for the kingdom of Scotland, as the estates of parliament there should think fit; and that commissioners should be appointed to suppress any forces raised without the authority of the parliament or estates; to preserve the peace now to be settled, and prevent all disturbances likely to arise from the late troubles; to appoint residents, in the two kingdoms respectively, to assist and vote, along with their native commissioners, respecting the separate interests of the states; and that the commissioners jointly, should have the preservation of peace between both kingdoms committed to them, and be empowered to raise and to disband all forces for the preservation of internal peace, or the repulsion of external violence. The king proposed, that all the forces of the kingdom, by sea and land, should be intrusted to twenty commissioners, ten to be nominated by himself, and ten by the parliament, for the term of three years, after which, they were to revert to his majesty; this, which would, in fact, have been yielding up every advantage of which they were possessed, as it would have at once exposed the army to the intrigues of the king—and by limiting the parliamentary contract to so short a period, have rendered it useless, even during the time it was exercised, as all the permanent arrangements would depend upon the royal pleasure—was rejected by the parliament; who proposed, as a compromise, that the unlimited direction of the militia, should be vested in commissioners named by themselves, for the term of three years after a firm peace should be established, or for seven years certain, from the time of the passing the act for this purpose; and then to be settled and exercised in such manner as should be agreed upon by his majesty and the two houses of parliament of England, and the estates of the parliament of Scotland. This was rejected by the king, and no other proposal was made.

Of the king.

Parliament rejects them, and offers a compromise;

Which the king refuses.

XLVI. Ireland was looked to by the king as an excellent field for recruits, whence he might draw powerful aid, could he only induce the people of England to believe that peace there was necessary for the security of the protestants; and that his withdrawing thence the army which had hitherto protected them, was the most effectual method of promot-

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ing their safety. The parliament viewed matters in a very different light; and although they did not then know the full extent of the intrigues Charles was carrying on, for introducing into England, a force similar to the banditti who were at that moment ravaging, without mercy, the north and west of Scotland; and in the king's name, and under his express authority, were led by the faithless Montrose, to the commission of atrocities, not less dreadful than those they had perpetrated in their native land; were yet sufficiently informed, to insist upon the cessation which had been concluded with the rebels there, being brought to an immediate termination. They thereupon demanded, that all treaties concluded with the rebels, without consent of both houses of parliament, should be made void; and the prosecution of the war of Ireland, settled in both houses of the parliament of England, to be managed by the joint advice of both kingdoms, and his majesty to assist, and to do no act to discountenance or molest them therein. This demand, which involved the king's conduct toward Ireland, and the necessity of the cessation, produced a lengthened discussion, and a great deal of quibbling, especially from the king's commissioners, who were studious of difficulties, of encumbering the negotiations by complicated questions and unnecessary embarrassment, and ended, like the other propositions, in no determinate conclusion.

Parliament requires the treaty to be annulled,

and to have the direction of the war.

XLVII. The king's commissioners insisted that the necessities of the army in Ireland, and the want of supplies, owing to the misconduct of the parliament, rendered the cessation indispensable, to prevent its complete annihilation, and that of the protestant inhabitants. The parliamentary negotiators affirmed—which their opponents endeavoured to extenuate, but could not deny—that the king had seized supplies the parliament was sending for relief of the Anglo-Irish army, and applied them to his own use; and insisted they had made it evident, that the cessation tended to the utter destruction of the protestants in that kingdom, which they conceived was the design of those who had advised that measure; and, in opposition to the assertion, that it was the only means of subsistence for the protestants there, they urged the undeniable fact, of the preferable condition of the

The treaty defended by the king's commissioners.

Reply of the parliamentary commissioners.

ıs protestants in Ulster, Munster, and Connaught,
. refused to accede to that measure, as the very means
for their ruin; and, indeed, it is now demonstrable,
Scottish army in that district, was the salvation of
estant interest in the north of the island. But the
structions to Ormond, and the commission he grant-
:rbert, afterwards earl of Glamorgan, to obtain the
:e of the Irish papists, upon any terms, sufficiently
ıe pertinacity with which the parliamentary commis-
ıdhered to obtaining the complete management of
in that country.

Insincerity of the king.

ı. Instead of being sincerely desirous for the conclu-
. treaty, which might restore peace to his bleeding
upon terms calculated to ensure its continuance,
was secretly averse to its success; and unwilling
adjustment should take place, unless he were re-in-
ı power, without limitation. While openly nego-
ıe was privately tampering with the chiefs of the
:ntary party, for whom his commissioners had in-
ıs to try what the offers of honours and place could
ınd, while secretly treating for foreign assistance, he
ıly disavowing every sinister practice. His corre-
ce with the queen, which was captured after the
Naseby, unveiled the hypocrisy of all his profes-
ıd discovered that he was sincere only in his attempts
:e. Exaggerated reports of Montrose's exploits in
l, had an unfortunate effect, in rendering the king
stinate in his refusal to yield to any demand of the
:nt; yet it does not appear probable, that the state-
his having given his assent to the most material
ions at Uxbridge, at the entreaties of Southampton,
ın withdrawn it when news came from Scotland, was
g else than a *ruse*, similar to what he had played off
elock, at Oxford; but, that he was elevated by the
›f the marquis, far beyond what the real importance
›hemeral ascendency warranted, is as plain, as, that
ıuis himself overrated the value of his exploits, when
vards wrote to the king, that he had gone through
, from Dan to Beersheba, and prayed his majesty,

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"come then, and take this city, lest I take it, and it be called by my name!"*

1645. Progress of Montrose.

XLIX. After his fortunate escape at Fyvie, and during his march toward his place of retreat, a number of deserters thinned the ranks of Montrose; but, as nothing except incessant action and the prospect of plunder, could have kept such an army as his together, he only rested a few days at Badenoch, till his men were able to endure fresh fatigue; then marched into Athol, where he was joined by Macdonald, and the re-enforcements he had been sent to procure. Enabled now, by the accession of numbers and the absence of Argyle, to recommence with effect his predatory operations, he proceeded, by rapid marches, through almost impassable defiles, to the lands of Glenorchy, one of Argyle's near relations, which he ravaged without mercy, burning and destroying wherever he went. In the depth of a highland winter, he let loose the whole fury of his wrath upon the territories of his rival; and the vindictive spirit of private revenge urged on the barbarous cruelty of the ruffian Irish, and the rival enmity of the highlanders, to the perpetration of new deeds of horror. The whole country was one scene of murder and conflagration, they spared none that were able to bear arms, and, in particular, they massacred without distinction, every man carrying a weapon, or whom they supposed likely to join their chieftain;† nor was

He wastes Glenorchy,

* A copy of the letter in which this boasting and, rather unlucky quotation occurs, was found among the marquis' papers, after the battle of Philliphaugh. The version in Wellwood's Memoirs, App. No. 10, is dated Inverlochy, Feb. 3d, 1645. Laing's Hist. vol. iii. p. 297. Burnet's Hist. vol. i. p. 52. Charles' Corresp. Rush. vol. v. p. 947.

† Wishart—the bishop goes on to narrate, "they drove all their cattle, and burnt down their villages and cottages to the ground;" "nor did they deal more gently with the people of Lorn;" and then piously adds, "Montrose ever after acknowledged, that he had never experienced the singular providence and goodness of God, in a more remarkable manner, than at this time." Spalding relates in a more simple, but touching style, "Ye hear before of Montrose's progress to the Glenorchies lands. He goes to Argyle, burns and slays through the haill country; and left no house or hold, except impregnable strengths, unburnt; their corn, goods, and gear; and left not a four-footed beast in his haill lands; and such as would not drive, they houghed and slew, that they should never make stead." Troubles in Scotland, vol. ii. p. 296, &c.

ere a house left standing, except the strengths, which the vages had not the means of reducing; their corn, their nter stock, was consumed: their furniture and effects of ery kind, destroyed; not a hoof left in the district, for ch as they could not drive away, they houghed, and cast it to perish in the snow. These merciless devastations, orthy of a chief of banditti, and his troop of outlaws, were tended through Breadalbane, Argyle and Lorn, to the nfines of Lochaber; when, satiated with revenge, and his llowers increased by accessions from the Gordons and arquharsons, he bent his course towards Inverness. While n his march he was overtaken by a messenger, informing im, that Argyle, who incensed at the cruel devastation of his estates, had raised a force of about three thousand men, to avenge the injury, was advanced to near the ancient castle of Inverlochy; and, suspecting that his intention was to join the garrison of Inverness, and raise the counties of Moray and Ross, he determined, if possible, to repay the surprise at Fyvie.

Breadalbane, Argyle and Lorn—proceeds north.

L. Leaving the common road, in which he placed guards to prevent the enemy's receiving any intelligence of his actions, he went straight across the almost inaccessible heights of Lochaber, through paths still covered with snow, and hitherto untracked but by the shepherd or huntsman. He had approached within half a mile of the main body, when the astonished scouts, who had fled back in amazement, first gave notice of his approach. Fatigued with his toilsome march, his worn out soldiers could not be led out to an immediate assault, as the enemy, apprized of his advance, had had time to collect their scattered men, and were in some measure prepared for his reception. Both parties stood to arms during the night; but the moon, which shone without a cloud upon the mountain scenery, enabled them to prevent each other from enjoying repose. Unfortunately, Argyle, after his army was drawn up, went on board a galley in the loch, where he remained a safe spectator of the battle—a fall from his horse, which had incapacitated him from taking any active part in the action, was the reason his friends assigned for his retreat; his enemies attributed it to his pusillanimity. The composition of the two armies was extreme-

BOOK XI.

1645. Defeats Argyle at Inverlochy.

ly different, that of Montrose consisted of veteran Irish, and highlanders flushed with victory; the former, he placed on the wings and in reserve; his centre was formed of the latter. The force under Argyle, was made up of undisciplined lowlanders, who had only as much training as unfitted them for exerting their individual prowess in the battle, and not enough to enable them to act in a body; these were the wings, the remnant of Argyleshire men were stationed as a centre and reserve. Montrose led his army to battle, with all the impetuosity of fearless daring. A cousin of their absent leader encouraged the troops of Argyle to sustain the shock. At sunrise, the 2d of February, the trumpets of Montrose sounded a charge, and the impetuosity of his onset was irresistible; the lowlanders gave way, and the highlanders were as unable to protect their retreat, as they, when once broken, were to rally. A single volley of musketry, was all the resistance their assailants met, and in the rout upwards of fifteen hundred of the vanquished were slain, among whom were a number of the chiefs of the clan Campbell; the survivors fled to the mountains, and the whole armament was dissipated by the blow. Montrose's loss was comparatively trifling; but, in numbering them, he had to lament sir Thomas Ogilvy, a son of the earl of Airly's, to whom, it is said, he was much attached.

His excesses at Inverness.

LI. By this victory, Montrose having relieved himself of any fear from the more powerful of the highland chieftains, resumed his progress north to Inverness; but finding the town too strong to be attacked, he passed, without attempting to force it, and expressed his disappointment by subjecting the open country to the license of his unbridled soldiery. On descending into Moray, he issued orders for all who were capable of bearing arms, between the ages of sixteen and sixty, to join his banners, under pain of military execution; those who did not immediately comply, he treated as rebels, "plundering, burning, and spoilzing the houses, biggins, and corn yards of the haill lands of the gentry, carrying off the horse, nolt, sheep, and plenishing from others, laying the villages in ashes, and, besides destroying the salmon cobbles, cutting, and rendering useless the nets, and fishing tackle along the course of the Spey." In his pro-

In Moray,

gress, he was joined by the Gordons and the Grants. Encamping before Elgin, the marquis accepted of four thousand merks, to prevent his setting fire to the town; but he rescued it from the flames, only to give it up to be plundered; which was effectually performed by the laird of Grant's soldiers, who left nothing "tarsable,"* uncarried away, and "brake down beds, boards, insight, and plenishing." The Farquharsons of Brae-mar, equally expert at the trade, he sent to do like service on the town of Cullen, while the "gallant chief," himself in person, marched to the seat of the earl of Findlater, who had fled to Edinburgh, and left his countess behind, hoping, it may be, that the romantic heroism of the chivalrous marquis, would respect a castle intrusted to the charge of a fair lady. But the gallantry and heroism of Montrose were unallied to courtesy. This stately mansion, decorated with costly furniture, enriched with silver plate, and stored with necessaries, was stript to the walls, and was about to be set on fire, when the unprotected, high born female, implored the ruthless leader of the band, to spare her dwelling from the flames but for fifteen days, as her husband was absent, and till he should return, or give satisfaction; and she obtained her boon, upon paying five thousand merks in hand, and other fifteen thousand ere the time elapsed.

1645. At Elgin. Cullen.

LII. Spreading desolation around him, the marquis spared Aberdeen another sackage for a ransom of ten thousand pounds; but the principal inhabitants having fled for safety to Dunnottar castle, he proceeded against it, and, failing to seduce the earl Marischal from the cause of his country, he burned the barn yards, outhouses, and destroyed whatever fire could destroy. Returning to Stonehaven, he committed to the flames the tolbooth, at that time the public granary, filled with corn and bear, plundered a ship in the harbour, and burned her, together with all the poor men's only means of livelihood—the fisher boats—and, in spite of the entreaties of the inhabitants, old men and women, some with children at their feet, others with infants in their arms, weeping and howling, and praying, for God's cause, to be saved from remediless destruction, the relentless ruffian, heedless of the sufferings of so many innocent, unoffending individuals,

Stonehaven

* *i. e.* That could be conveniently packed in a portable size.

BOOK XI.

1645.

whom he was depriving of shelter in an inclement season, returned no answer to their supplications, but left the town a heap of uninhabitable ruins, and the houseless wretches without a covert or a home. He then wreaked his vengeance on Fetteresso, and, not content with having ruined it in the same barbarous manner, he fired the pleasant park, and wantonly butchered all the hart and deer, hind and roe, as they fled affrighted at the flaming trees. Advancing southward to Brechin, the people ran at his approach, and lodging their most valuable property in the tower, left the town to his mercy. The houses were rifled, and sixty burned to the ground. It is disgusting to follow the track of wanton and uniform barbarity, but it is necessary to exhibit, in their native deformity, the atrocities of ruffians, the mischievous nature and woful effects of whose crimes we are apt to forget, when we hear of the principal perpetrator only under the imposing name of a hero.

Fetteresso.

Parliament.

LIII. In the month of January, 1645, the parliament met, to consider the alarming state of the country; but Lauderdale, the president, having died during the recess, Lindsay, a person not well qualified for carrying through the business of the session, was unhappily chosen, and much of the time wasted in violent and contentious debate; and when the necessities of the state called for united and strenuous exertion, the members allowed their private animosities to distract them. The money which had been voted, it was found difficult to raise. In order to make the excise effectual, the collectors were allowed a tenth of the proceeds for the trouble of levying it; and for enforcing prompt payment of the tax appropriated to the support of the army, it was enacted, that they should account for their intromissions upon an appointed day, on pain of being compelled to pay the whole.* Montrose,

* In the act for collecting the excise, notwithstanding the public pressure, there was a charitable clause, to prevent the excruciating spectacle of poverty or old age, being rouped to the door, or stripped of their last rags to pay taxes, one half of which never reaches the exchequer. "And where they," the commissioners for the excise, "shall finde any persons, that in regard of their poverty, are not able to pay all bygone excise, the estates ordains sick parts and portions of the bygone excise, to be tane from these poor persons as they are able to give," and declares the certificate of the magistrates or session, sufficient to infer liberation, &c.—Scots Acts, Thomson's Edition, folio, vol. vi. p. 162.

1645.

untly, Carnwath, and Traquair were forfeited, their lands :posed to sale at ten years' amount of the yearly rent, and e public faith engaged to warrant the purchase, and pro- ct the persons of the purchasers. An army for subduing e insurrection, was ordered to be levied, and the whole ncible men in the kingdom mustered and trained; but the unties, either overawed or undecided, remained in a state inactivity, which rendered it necessary to pass an act for acting five hundred merks for every dragoon, and one ndred pound Scots for every foot soldier, who had *not* been ised, or who had deserted.

Forfeits Montrose, Huntly, &c.

Act for raising an army.

LIV. But the exertions of the general assembly, which had en summoned to hold an extraordinary meeting at the me time with the estates, were more successful in rousing e spirit of the country. They first addressed a free admo- tion to the parliament respecting their dissensions, the im- nity their internal enemies enjoyed, and the facility with hich convicted traitors had been passed over; all which, ey said, saddened the hearts of their friends, and weaken- l their hands, while it emboldened the disaffected, and en- ouraged the natural unwillingness of the people to bear the urdens necessarily imposed for the public good; they there- ore exhorted them to execute exemplary punishment upon uch as had joined in arms, or secretly aided the unnatural and cruel enemy, now deluging the country with blood, that the hesitating might be confirmed by their decided conduct; to speedily and unanimously, by all lawful and possible ways, endeavour to extirpate the invading barbarians, and wipe away the reproach, shame, and dishonour put upon the na- tion by the vilest of men. "We are confident of your ho- nours' conscience and care," say they, in the conclusion of their spirited paper, "only, we exhort you in the Lord, to unite your spirits, and accelerate your counsels and endea- vours. Be of good courage, and behave yourselves valiantly, for our people, and for the cities of our God. Arise! and the Lord be with you!" They also addressed a solemn and easonable warning to the noblemen, barons, gentlemen, oroughs, ministers, and commons of Scotland, and to the mies within and without the kingdom. The country was t this time suffering under the three severest judgments

General assembly.

Their address to parliament

To the nobles, &c.

BOOK XI. 1645.

which can afflict any land—war, pestilence, and famine. They therefore, as watchmen, durst not be silent; their duty required them to show the causes of God's displeasure, and the duties of the people under his chastening rod. After repelling the idea, that rebellion or disloyalty, slanderously imputed to the solemn league and covenant, could be considered as among these, they state the real procuring causes. "For the transgression of Judah is all this, and for the sins of the house of Israel. God is thereby showing to great and small in this land, their work and their transgression." But while they press private and individual repentance for private iniquity, they consider the national sins which have provoked national chastisement, as—the selfishness, and want of public spirit among the nobility, gentry, and barons; their studying their own private interest more than that of the commonwealth; and their defrauding and oppressing the poor and the needy, because it was in the power of their hand to do it; the timeservers who had crept into the ministry, men who have been secretly haters of the power of godliness and of mortification, who have not renounced the hidden things of dishonesty, whose hearts have not been right before God, nor steadfast in his covenant—but above all, 1st, God hath sent his sword, to punish the contempt, neglect, and disesteem of the glorious gospel; 2d, To avenge the quarrel of his broken covenant; for, besides the defection of many, under the prelates, from the first national covenant—a sin not forgotten by God—their later vows and covenants had also been foully violated, by not contributing their uttermost assistance to this cause with their estates and lives; by not only not bringing to justice, but even countenancing those who, guilty themselves, have also led on others to shed the brethren's blood; and particularly, by the neglect of promoting a real personal reformation in themselves and in those under their charge. 3d, Great unthankfulness for God's great mercies, filleth up the cup. And, 4th, Presumptuously sending out their armies, and undertaking great services, without repentance and making their peace with God. The primary duties which a due sense of these national transgressions imposed, were humiliation, repentance, faith, amendment of life, and fervent prayer; but

e were also others which the times required. "It ought r to be forgotten," add they, "that the present cause controversy is none other than what hath been formerly essed before God and the world. The reformation and ervation of religion, the defence of the honour and hap- ss of the king, and of the authority of parliament, to- er with the maintenance of our laws, liberties, lives, and es; and as the cause is the same, the danger is greater the popish, prelatical, and malignant faction, who have ly displayed their banners in the three kingdoms, and aten, with Irish rebels and troops, to oppress poor Scot- , already scourged by that "hellish crew," under the luct of the excommunicated and forfeited earl of Mon- e, and Alaster Macdonald, a papist and an outlaw, who rcise, such barbarous, unnatural, horrid, and unheard of elty, as is above expression; and from the secret malig- ts and discovenanters, who slight or censure the public olutions of the kirk or state, slander the covenant, con nd the king's honour and authority, with the abuse and tence thereof, and commend or excuse the enormities of nes Graham,* and his accomplices." For such a cause, l against such dangers, they called upon every man, who s not regardless of his religion, law, liberty, or country, o was not dead to all natural affection for wives, children, friends, or insensible to the preservation of whatsoever s dearest under the sun, to act now or never, stretching nself to, yea, beyond his power. The crisis allowed of dallying with the enemy, no half measures, the alarm s abroad, and cursed be he that doeth the work of the rd negligently, or dealeth falsely in the covenant of God. e ministers were exhorted to stir up others, by free and hful preaching, and if any of them should fall into the nds of the enemy, to choose affliction rather than sin. e armies were admonished to beware of ungodliness and ldly lust, but to live soberly and righteously, avoiding scandalous conduct, and renouncing all confidence in r own strength, skill, valour, and number, trusting only

*So the covenanters, after his forfeiture and excommunication, always style marquis of Montrose.

BOOK XI. 1645.

to the God of the armies of Israel; and the people were reminded, that as the enemy could not be suppressed without a competent number of forces, and the forces could not be kept together without maintenance, nor maintenance be had without public burdens, and although these burdens were, for the present, not joyous but grievous, yet it would be found no grief of heart afterwards, even unto the common sort, that they had given some part of their necessary livelihood, for assisting so good a work. But it was far from their thoughts, that the pinching of some should make others superfluously abound; it was rather to be expected of the richer sort, that they would spare and defalk, [retrench,] not only the pride and superfluity, both of apparel and diet, but also a part of their lawful allowance in all these things, to contribute the same as a free-will-offering, besides what they are obliged to by law or public order; and after reminding them of the danger and disgrace of disunion or neutrality, they close in a high, animating strain, calculated to excite contempt of difficulties, and the noblest enthusiasm in a cause which had already been so signally favoured of heaven. "When we look back upon the great things which God hath done for us, and our former deliverances out of dangers and difficulties, which to us appeared insurmountable, experience breeds hope; and when we consider, how in the midst of all our sorrows and troubles, the Lord our God hath lightened our eyes with the desirable and beautiful sight of his own glory in his temple, we take it for an argument, that he hath yet thoughts of peace, and a purpose of mercy towards us. Though for a small moment he hath forsaken us, yet with great mercies he will gather us. He hath lifted up our enemies, that their fall may be the greater, and that he may cast them down into desolation for ever. Arise! and let us be doing, the Lord of Hosts is with us, the God of Jacob is our refuge."*

LV. This warning was ordered to be read in all the pulpits throughout the kingdom, after divine service, and before the dismissal of the congregations in the forenoon. But wh

* Printed Acts of Assembly, 1645.

ıing the nation, they thought it their incumbent
l the best testimony they could give to the king of
alty, to remonstrate to him faithfully, to represent
ıe great and increasing dangers to which he was
and the causes whence they sprung. It is conceived
ı of honest plainness, such as seldom meets the royal
had his majesty hearkened to the "dictates of their
ıffection for his true happiness," he might have even
ıined a portion of the splendour of his crown, and
ions of his people; he would at least have had the
on of having spared much bloodshed, and have pro-
:aped the death of a criminal. After noticing the
ı of the people's affection, produced by the most
s and horrid cruelty, exercised by the Irish and
omplices, under his own commission and warrant,
ɜmnly warn him of the guilt he had incurred—by
the blood of so many of his best subjects—per-
nass, and other idolatry in his family and domin-
thorizing, by the book of sports, the profanation
ɔrd's day—not punishing public scandal, and much
ess in and about his court—shutting his ears from
ɔle and just desires of his faithful subjects—com-
ɔo much with the popish party—concluding the
of arms in Ireland, and embracing the counsels of
o had neither the fear of God, nor his real good at
ıd resisting the cause which so much concerned the
God, his royal honour and happiness, and the peace
ty of his kingdoms. These things, they tell him,
ld not have mentioned, if they had not been public
vn; and exhort him to repentance through Jesus
hose blood is able to wash away his great sin, and
longer unwilling to admit of his kingdom and go-
: being established in the land; which things if he
, they predicted much good in reserve for him;—he
ıd favour with God and with his people. And with
ophetic, anticipating zeal, they concluded by tak-
and men to witness, that if his majesty refused to
:o their wholesome counsel, yet they had discharged
ı consciences, and were blameless of the sad con-
ı which might follow; they would wait upon the

Their remonstrance to the king.

BOOK XI.

1645.

Lord, who, when he maketh inquisition for blood, would not forget the cry of the humble.

LVI. Some of the commissioners who had been sent to the assembly of divines at Westminster, attended at this meeting, to report the progress made in prosecuting the grand scheme of uniformity between the two sister churches; and they produced, as the fruit of their labours, a directory for public worship. It was a great object with the pious and learned founders of the reformation, to obtain the performance of public worship in their own tongue, and they had therefore rejoiced at the adoption of the English prayer-book. But the progress of the reformation had altered the circumstances of the case; increasing knowledge asked superior modes of instruction. The great body of the English parochial clergy at first were incapable of leading the devotions of a congregation, and required assistance from forms, and so long as this incapacity continued, a liturgy was necessary; but now, when they were men of superior education, and the people, through their means, had become more enlightened, the multiplicity and sameness of the prayers, the number of unprofitable and burdensome ceremonies, together with their resemblance to the Roman catholic rites they had superseded, had occasioned considerable dislike and scruples against them, which the strictness with which their observance was enforced had increased; especially as the prelates and their faction strenuously inculcated, that there could be no other mode of worship; and even allowed reading prayers to supersede preaching, which the puritans esteemed the most important method of communicating instruction to the people. It was found also, that the liturgy, as it on the one hand encouraged an idle and unedifying ministry, who contented themselves with set forms made to their hand, so on the other, it was a matter of endless strife and contention in the church, and a snare both to many godly and faithful ministers.* For these reasons, and disclaiming any love of novelty, the assembled divines had rejected the service-book, and adopted the directory; which, sanctioned by the parliament of England, they now presented to their reverend

Directory for public worship presented.

* Preface to the Directory.

1645.

Form of worship, &c. prescribed by it.

ıcottish brethren, to be by them accepted. The form pre- cribed by it is simple.

LVII. When the congregation assembled, which they are ılmonished to do gravely, without genuflexions or obeisance t their entrance, the service is to commence with a short xtemporary prayer. This to be succeeded by reading the criptures, in common two chapters, one from the Old, and nother from the New Testament, after which, a psalm to e sung, then another longer prayer offered up; a sermon) follow, and again a prayer. In conclusion, a psalm is to e sung, and the people dismissed with a solemn blessing. laptism not to be administered in private, and the commu- ion to be celebrated by the communicants seated around a ıble.* The sanctification of the Lord's Day, by a cessation ·om all unnecessary labour, as well as sports and pastimes, ·as strictly enjoined. Marriage, although no sacrament, et, because such as marry, are to marry in the Lord, was rdered, as expedient, to be solemnized by a minister. The isitation of the sick, as a necessary and important part of a ıinister's duty, was largely described; and the burial of ıe dead was stript of all religious ceremony, except that the ıinister was directed, if present, to put the attendants in ıind of their duty. Days of fasting and thanksgiving were

* The independents long and stoutly contested the point with the Scottish ımmissioners. "They," says Baillie, "are content of sitting, albeit not as of rite institute, but to come out of their pews to a table, they deny the ne- ssity of it—we affirm it necessary, and will stand to it." He afterwards rites, "The unhappy independents would mangle that sacrament, no coming p to any table, but a carrying of the element to all in their seats, athort the hurch; yet all this, with God's help we have carried over their bellies, to ur practice." "This day we were vexed also in the assembly; we thought ve had passed with consent sitting at the table, but behold Mr. Nye, Mr. Goodwin, and Bridges, cast all in the hows, denying to us the necessity of any able, but pressing the communicating of all in their seats, without coming up to a table. Mess. Henderson, Rutherford, Gillespie, all three disputed ex- ceeding well for us, yet not one of the English did join us; only Mr. assessor Burgess, who was then in the chair, beginning to speak somewhat for us, but a little too vehemently, was so met with by the independents, that a shameful clamour ended their debate. This has quited us, that we fear the end of our work." The dispute was at last compromised by the words, sitting around it, or at it, being adopted; but the general assembly refused the compromise, ınd appended an explanation, adhering to sitting around the table. Baillie's ·etters, vol. ii. pp. 27, 31. Printed Acts, 1645.

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regulated, proper attention to singing of psalms recommended, and the whole concludes with disclaiming all superstitious reverence for set days, or what are called sacred places, but declaring it lawful to set both apart for the especial service of God, as circumstances, in the course of providence, may require.

Directions to the commission respecting presbytery.

LVIII. Conjoined with uniformity in public worship, was presbytery established by law. This had not yet been fully attained; but, as the outline was admitted, the assembly, rejoicing in the prospect of such a desirable consummation, appointed that the propositions concerning church government and ordination of ministers, should be approved of by the commission of the kirk, so soon as the same should be ratified, without any substantial alteration by the parliament of England, with exception as to the power of the doctors and the distinct rights and interests of presbyteries and people in the calling of ministers. The session rose, after despatching letters to the Westminster assembly, and their own commissioners, encouraging them to proceed in the intended good work.

Baillie commander-in-chief.

LIX. When Argyle and Lothian threw up their commissions, the irregular forces of the country remained without a leader, till the successes of Montrose obliged the parliament to recall lieutenant-general Baillie from England. This commander had served with considerable reputation under Gustavus Adolphus, and returned at the commencement of the troubles to his native country. He was esteemed a good officer, but too easy in his temper, and not possessed of sufficient influence, when nominated to the chief command, to counteract the mischievous effects of a divided and haughty aristocracy. His refusal to act in subordination to the orders of Argyle procured him the displeasure of that nobleman; and the estates, or the ruling party in them, afraid of compromising their dignity, and not aware of the evils of a crippled authority in a military leader, appointed a committee to superintend and direct; but, in fact, to hamper and thwart operations, the effect of which depended mainly upon their unity of plan, and rapidity of execution. On the invasion of Argyle by Montrose, he was ordered to march westward with his force, in the worst of all possible

Committee appointed to assist him.

nditions—men half trained, with just as much military owledge, as taught them that they ought to combine eir efforts, and just as much practice as totally unfitted em for individual exertion, without inspiring confidence their united operations—a description of troops equally capable of resisting the furious onset of the hardy mounneer, who trusted to the strength of his arm and the nper of his steel, as that of the disciplined soldier, who med part of a machine, whose power depended on the nbination of its movements, and the master-mind that dited it.

LX. Having reached Roseneath in the begininng of Janu-y, a request was sent from the marquis of Argyle, that a rt of the foot only might be sent to his assistance, as the verty of the country could not maintain a great number, d the committee ordered sixteen companies—eleven huned men—to be given him; these proceeded to Inverlochy, d met their fate [page 180,] with the rest, Baillie marched Perth for the protection of that quarter. By some strange atuation, Hurry,* a soldier of fortune, who, after being ined, had first served the parliament against the king, en changed and served the king against the parliament, d now offered his sword to the committee of estates, was pointed his major-general. Hurry, who was a fearless, principled ruffian, had been employed in the north to watch lontrose, and seems to have been well enough qualified to t as a subaltern partisan, though evidently without any tants of a higher description. After the battle of Inverlochy, hen the victor was marauding south, he surprised a party at had been sent by him to Aberdeen, under Donald Farharson, and took a number of prisoners, thence marched the town of Montrose, where he seized lord Graham, the arquis' son, and after a successful skirmish, joined Baillie Angus. Montrose himself, had taken the route to Dunld, with the design of crossing the river above Stirling; ut finding himself unequal to force the passage, he prepared return to the north. Having been informed that Baillie ad crossed the Tay, and was in full march to take posses-

Proceedings of Hurry.

* Alias Ury, alias Urrie, alias Hurry.

BOOK XI.

1645. Montrose takes and plunders Dundee.

sion of the fords of the Forth, and intercept his advance south, he suddenly left Dunkeld at midnight, marched towards Dundee, remarkable for its attachment to the covenant, and summoned it to surrender. The inhabitants, who had been promised assistance, prepared for defence; but the Irish and highlanders, assailed with such fury, that, in a short time they were driven from their stations, and their own cannon turned against them. At the same moment, the barricades were surmounted, and the gates burst open: no sooner had the place been obtained, than it was set on fire in several places, and the usual scene of rapine and pillage commenced.* The savages were only diverted from massacre by the superior attractions of plunder, and ardent spirits; and the town narrowly escaped entire desolation, by the approach of the enemy. Montrose, who was standing on a hill that overlooks Dundee, and coolly beholding the work of destruction, was surprised with the intelligence; that, instead of being in the neighbourhood of Stirling, Baillie and Hurry were advancing with a superior force, and not above a mile distant. He immediately called his men from the town, but it was not without difficulty, that they, who were now almost all half drunk, could be persuaded to leave the work of plundering, so congenial to their habits and disposition. Incapable of fighting, his good fortune again extricated him from a situation of the most imminent peril, into which his culpable want of information had placed him. The generals opposed to him were divided in their opinions, and refused to act in concert. Hurry, who commanded the horse, would neither charge the fugitives, nor obey Baillie's orders to co-operate with him in an attack upon their flank. In the meantime, the marquis having sent off the greater part of his troops, selected two hundred of the freshest, as a covering detachment; and bringing up the rear himself, with all his cavalry, in open order, so as to receive the musketeers in their ranks, in case of an attack, he commenced his retreat

Is nearly surprised.

Escapes by a forced march.

* Spalding mentions a striking feature of the banditti, of whom the gallant Montrose had the honour to be the leader. In their route south, after mentioning the plunder of Boyne; he adds, "thereafter he marches to Banff, plunders the same pitifully; no merchants' goods nor gear left; they saw no man on the street, but was stripped naked to the skin."

bout sunset; he sustained considerable loss, but under co- ert of the night, he evaded his pursuers, and after a circui- ous march, of nearly twenty miles, reached the hills in safe- y, secure from the attack of horse. He then allowed his rearied troops to refresh themselves in the valley of Glenesk.

Reaches Gleneak.

LXI. By order of the committee, the covenanters' army ivided. Baillie was sent to chastise Athol, and retaliate ipon their own country, the miseries the Atholmen had as- isted in inflicting upon other districts; and while he destroy- d this resource for recruiting Montrose's army, prevent- d his progress south in that direction. Hurry was ordered orth, to restrain his steps to the hills, and prevent his ob- aining any succour from the Gordons, or their friends; hile he, himself, would receive assistance from viscount rendraught, the Frazers, Forbesses, and their allies. His rogress, however, was stopped for eight days, by a mutiny mong his soldiers at Aberdeen, for want of clothes and pay; or would they move till their demands were satisfied, hich he could not do, till a vessel arrived with supplies from eith.* This incident alone, shows the very different me- ods in which the king's forces, and those of the covenant- s were supported. Wherever Montrose marched, he le- ied contributions for his army, on pain of military execution, om friend or foe. Here, notwithstanding the complaints f the high royalists, respecting the outrages of their oppo- ents, we find the soldiers remaining till their pay arrived, nd then paying for their subsistence; for even Spalding, ho speaks of their plundering, allows that their expenses was reasonably well paid."† Being thus enabled to re-

Baillie proceeds to Athol.

Hurry to the north

* Hist. of the Troubles, vol. ii. p. 293.

† Spalding estimates Hurry's army, after he passed the Spey, at one thousand foot, two hundred troops, and four hundred dragoons, besides the countrymen who joined him. Montrose's army at four thousand. Hist. vol. ii. p. 296. On Hurry's return from Inverness, after receiving the re-enforcements, his numbers are rated at about four thousand foot, and five hundred horse, while Montrose's is diminished to three thousand in all, although he too had confessedly re-enforcements. Wishart gives Hurry, three thousand five hundred foot, and four hundred horse, and Montrose had with him, no more than fifteen hundred foot, and two hundred and fifty horse. I apprehend there was no great disparity of numbers on either side; but, if there were any superiority, it is likely it was in that of Hurry.

BOOK XL

1645.

sume his expedition, Hurry proceeded to the lands of the Gordons, which he passed through, without either spoiling or burning, taking only from his enemies, what provisions he wanted for his troops, and obliging them to restore the cattle they had plundered from his friends. Lord Gordon, at his approach, retired to Auchindown, where he waited the advance of Montrose.

Montrose pursues him.

LXII. Montrose, who had been joined on his march by lords Aboyne and Napier, with the lairds of Dalgetty and Keir—escaped from Carlisle—encamped at Skene on the 1st of May, whence he despatched a party to Aberdeen to procure ammunition, of which he was greatly in want. This he luckily obtained from two vessels just arrived from Flanders with military stores, and immediately set out in pursuit of Hurry, with whom he had an indecisive skirmish on the 5th. The latter, inferior in numbers, retreated to Inverness, where, being re-enforced by some troops from the garrison, and joined by the earls of Sutherland, Seaforth, and Findlater, he returned with the intention of striking some grand blow, before Baillie should arrive to share the glory with him. Montrose, who was equally anxious for an engagement before the two armies joined, halted at the village of Auldearn, in the vicinity of Nairn, and, posted in an advantageous situation, expected the enemy. The field of battle he had chosen was admirably adapted for deceiving his adversary. The village stood upon a height, and covered the neighbouring valley; this he chose as his centre, where he placed his cannon and a few picked troops, who were scattered among the houses, before which he had thrown up some hasty intrenchments, where their numbers were at once concealed and protected. The right wing, under Macdonald, consisting of only four hundred men, he stationed with the royal standard, as a decoy, on an eminence, inaccessible to cavalry, and defended by dykes, ditches, and underwood, and its strength obscured by the bushes and fortifications. The left wing, composed of the flower of his army, headed by himself, occupied the valley; its numbers also concealed by the inequalities of the place. Harry, who was unacquainted with the ground, misled by the *judicious* arrangement of his opponent, fell into the snare.

mistaking the right for the main body, he led on his choicest troops to the vain attack of lines it was impossible to reach, and exposed to the fire of cannon, he had no means to silence. Had Macdonald remained in his intrenchments, Hurry must have wasted his men in useless efforts; but irritated by the taunts of his assailants, he left his ground, and overcome by superiority of numbers, was put to the rout. Montrose, who watched his opportunity, when he perceived the enemy thrown into disorder by their success, poured down with his whole unbroken strength, and assailed them in flank. This unexpected attack was received steadily by Lothian's, Loudon's, and Buchanan's regiments, who fell where they fought, and the day might perhaps have been retrieved, or, at least, left doubtful, had not colonel Drummond, one of Hurry's own officers, by an unskilful or treacherous manœuvre,* wheeled his horse into the midst of the foot, and trampled them down. In this battle and the pursuit, the loss of the covenanters was severe; about two thousand men are said to have fallen—as few prisoners were taken—sixteen colours, with all the baggage and ammunition, were the prizes of the victors.†

Defeats him at Auldearn.

LXIII. Although Hurry, an unprincipled mercenary, had abstained from wasting by fire and sword, the possessions of the anti-covenanters, and consequently provoked no retaliation, Montrose, faithful to his savage maxim of treating as rebels—forgetful that he had himself once been the most active among them—all who did not assist the king's arms, improved his victory, by ravaging the district anew, committing to the flames, the wretched gleanings he had in his

Ravages the neighbouring country.

* He was afterwards tried by a court martial at Inverness, and shot. Gordon's Genealogical History of the earls of Sutherland, p. 525, et seq.

† All this was accomplished, according to Wishart, who is gravely copied by Guthrie, vol. ix. p. 391, with the loss of only one man on the left, and fourteen on the right of Montrose's army. As an instance of his rodomontade, it will be sufficient to quote the account he gives of Macdonald's prowess. After the right wing was defeated by Hurry, this chieftain "made sufficient amends for [his] rash mistake, by the admirable courage he displayed in bringing off his men; for he was himself the last that came off the field, and defending his body with a large targot, he opposed himself to the thickest of the enemy, and thus alone covered the retreat of his men; during which, some spearmen came so near him, as to fix their spears in his targot, which he cut off with his broad sword, by threes and fours at a stroke!"

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former rapacious and merciless visitation, been compelled to leave, through incapacity to destroy. Nairn and Elgin, which formerly escaped, were now plundered, and the chief houses set fire to. The town of Cullen was laid in ashes, and "sic lands as were left unburnt up before, are now burnt up."*

Baillie sent against him.

LXIV. Baillie, on leaving Athol, was ordered also to the north; but, as if the committee had intended to afford Montrose every facility for the exertion of his peculiar talents, and that of the soldiery he commanded, his best troops were directed to be left for the defence of the low countries, and he, with thirteen hundred foot, and one hundred horse, was directed to pursue and destroy an enemy, now at the head of double his strength; and who, the very day that he received his instructions, had dispersed at Auldearn, the army with which he was intended to act. At Strathbogie, Hurry joined him with one hundred horse, the remnant of what had escaped with him at Auldearn, and with whom he contrived to pass through the heart of Montrose's forces. The numbers opposed were nearly equal, but Montrose declined fighting, and outmarching Baillie, betook himself to his old fastnesses, among the inaccessible rocks and woods at the entry of Badenoch, where it was impossible to attack him, and where he could procure plenty of provisions from the interior for his men; while the enemy, in a desolated country, were exposed to the danger of absolute starvation. For some time they remained looking at each other, till Baillie's meal, upon which alone his army had subsisted, becoming exhausted, and his few horsemen having spent eight and forty hours almost without eating, he was obliged to break up, and march towards Inverness, to be supplied there, and Montrose made an excursion to the south, as far as Cupar in Angus.

He retires to Badenoch.

Baillie to Inverness.

LXV. Both having recruited, returned each upon his steps. Montrose was superior in numbers, and desirous to engage; Baillie, sensible of his own deficiency, was anxious to spare his men. Urged on by the reproaches of his friends, and the dictation of an imperious aristocracy—who did not consider the state of his forces, or their amount, and conceived it only

* Spalding's Hist. vol. ii. Wishart. Rushworth, vol. vi.

ry to issue mandates of the most contradictory nature e, dispirited by the reflections which he was conscious having merited, and orders he felt it impossible to earnestly entreated to be released from his com- nd another appointed in his room. In answer, he cted to meet lord Crawford at the mills of Drum, e, where a resolution of the committee was pro- depriving him of his trained soldiers—including undred under colonel Hume, recalled from Ireland— e transported to Argyle; and turning over to him r of raw recruits to supply their place, with whom, ng to about thirteen hundred foot, and two hundred y horse, he was appointed to guard the passes to nds; but this arrangement was almost immediately, tiously altered. Argyle having refused the com- ord Lindsay marched with all the experienced sol- to Athol, while a new order was transmitted from mittee to Baillie, desiring him, without regard to mstances, to find out and engage the enemy. They the kirk of Keith, where Baillie having obtained e of the ground, offered battle; but, notwithstand- uperiority of numbers, Montrose prudently refused g the challenge, and retired to Alford. Thither arsued him; and urged, it is said, by the impetuosity rras, was necessitated to fight, in opposition to his gment, under dispositions by no means propitious. e had possession of a hill above Alford, behind here was a marsh that protected his rear, and his s covered by another hill that hid the extent of e. In cavalry he was rather superior, and in infan- le the number of his opponents. He formed in line deep, with his horse, under lord Gordon, on the d two bodies of reserve in the rear. Baillie formed ine, but to meet the extent of his enemies' front, he ly form three file deep, and had no reserve. Bal- who commanded the horse, which were divided into uadrons, charged gallantly with two, but the third, rdered to attack in flank, drew up in rear of their s, where they stood till the others were broken by lons. The foot, commanded by Baillie in person,

Committee withdraw the veteran troops from Baillie.

He is de- feated at Alford by Montrose.

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fought desperately, and even after the horse had they were attacked in rear by the victorious caval enemy, refused to yield; nor was it till Montrose br his reserve, that the little intrepid band were ove and discomfited. The victory was complete, but had to lament the death of lord Gordon,* whose fi celebrated with great military pomp at Aberdee after the engagement; and despatching lord Ab brother, lord Gordon's successor in command, to cruits, or collect again the deserters, who had retur to secure the booty they had gained, he directed h

Who marches south.

ous career to the south, where, flushed with unin success, he proudly anticipated new triumphs; mourning country wept in tears of blood, and eyed amazement the disastrous progress of the porte venturer, who owed the splendour of his fame to t he inflicted, and the evanescent power he then e the imbecility of the leaders, and the disunion of th by which he was opposed; to want of discipline a men, the absence of military talent in the generals, factious divisions of the aristocracy, who guided the of the covenanters in the field.

Religious dissensions.

LXVI. While these transactions were taking plac land, important events were evolving in the sister and the two religious parties of presbyterians and dents were ranging in distinct and hostile array. necessary to remark, that the reader of this portion tory should notice a distinction which historians hav ciently attended to in the use of the term Independ the sectaries who objected to presbyterian church ment, and who claimed for themselves the liberty of their own creed, have been ranged under this deno and because they contended for this as their civil r have been represented as fighting in support of their ities as a religious body. But an INDEPENDENT is to religious war in any shape; so long as he remains t principles, he can neither propagate his religion, n its enemies by civil pains or penalties of any descript

* The bishop here again desires his readers to believe, that in t contested battle, Montrose lost not one private!

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elieves christianity to be of divine origin; and he believes hat its conquests can only be effected by the sword of the Spirit—which is the word of God—by divine influence accompanying the peaceful promulgation of the gospel; and that the arm of power employed in this sacred cause, is an unhallowed weapon, which may make men hypocrites, but will never make them christians. With such sentiments, it is not to be supposed they could very cordially support the compulsive scheme of church uniformity, even had their ideas of church government agreed with the covenanters. They were therefore viewed with peculiar suspicion by the presbyterians, from the moment the latter conceived the probability of enforcing their favourite form, as the establishment throughout the three kingdoms.*

Principles of the independents.

The presbyterians become suspicious of them.

LXVII. Having succeeded in framing a common directory for worship, by occasional concessions on both sides, the assembly of divines at Westminster—to whose progress we must now attend—proceeded to complete the ecclesiastical polity, which the presbyterians pushed with renovated vigour, from the time the Scottish army obtained possession of Newcastle; as the general, in announcing that important advantage, had pressed upon the English parliament, the still greater benefit that would accrue from overcoming the difficulties that delayed the settlement of one uniform mode of church government. Thus far the independents agreed with the presbyterians, that there was a certain form of church government, of divine institution, laid down in the New Testament, but they differed as to what that form of

Proceedings of the Westminster assembly.

* To establish uniformity of religious profession throughout a land, appears at first sight, an important and a proper object, and may be defended by reasons which are at least plausible. It would promote peace, and, freeing the ministers from the necessity of combating for matters of ceremony or form—which are generally productive of the most bitter animosity—would leave them leisure undistractedly to attend to the more essential and productive labours of their function. And could christians be persuaded to be of one mind, guided by similar views of that only rule, which all parties acknowledge to be paramount—the scriptures of the Old and New Testament—then the prospect of universal communion, and national uniformity would be desirable. But constituted as the human mind is, it evidently requires a power more than human, and a state other than this world has yet known, to produce so delightful a consummation: any other method by which it has been, or may be attempted, must ever be as hopeless, as it is tyrannical.

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government was; and whether any definite form was binding in all ages of the church, was a distinct question, in which the erastians were entirely opposed to the other two grand divisions of the assembled divines. Whitelock—who once had been rather friendly to the presbyterians—when the proposition was stated, "That the scripture holds forth, that many particular congregations may, and by divine institution ought, to be under one presbyterial government," objected, that no form of government was *jure divino*, but that in general, all things must be done decently and in order. A government, he allowed, was certainly *jure divino*; but whether presbytery, episcopacy, or independency, be that divine institution; whether there be a prescript, rule, or command of scripture for any of these forms, he contended was by no means clear. He therefore requested the assembly to forbear upon this point at that time, because if presbytery were not *jure divino*, no opinion of any council could make it so; and if it were, it would still so continue, although they made no declaration on the subject. Selden and St. John were also of the same opinion, apprehending that presbytery would prove as arbitrary and tyrannical as prelacy, if it came in with a divine claim; but the assembly would not listen to any proposal of forbearance, and the subject was disputed for thirty days. The chief inquiry was respecting the constitution of the church at Jerusalem, which the independents, taking the texts of scripture where it is mentioned, in their plain meaning, affirmed always met together in one place, and that the acts of the church were the acts of one congregation consisting of the members and their office bearers; that when the apostles and elders, with the whole church, sent chosen men from their company, this was the deed of one congregation alone; and that although presbytery be mentioned in the New Testament, it implies no more than the eldership or presbytery of one particular church; for no mention is made any where in the scriptures, of churches being ranged in presbyteries, classes, provincial synods, or general assemblies, in subordination to each other.

Arguments in favour of independency.

LXVIII. To these arguments the presbyterians answered:—that the church of Jerusalem must have been made up of *more* than one congregation, as was apparent from the num-

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f disciples, the many apostles and teachers, who could ave all exercised their gifts in one assembly, and from iversity of tongues. That, when it is granted that the ude was too great to meet in one place, and when the church is said to have thus met, it is evident it must been their rulers alone, who could only have met in ytery. In favour of the subordination of courts, it was our Saviour speaks of the appeal from one or two bre- to the whole church; but this text was claimed by the endents, as more favourable to their congregational dis- e. The appeal from the church at Antioch, to the les and elders at Jerusalem, was then urged; but the endents affirmed that a synod of presbyters is no where a church, and that the appeal of the church of Anti- as only for advice, not judicial determination; but even sing the assembly of apostles at Jerusalem to be a sy- it could neither be provincial, nor national to the church tioch, consequently no proof of subordination. The de- then shifted their ground to the formation of the Jew- anhedrim, which the presbyterians considered as the pe of the christian church; and finally, by an over- ning majority, voted sessions, presbyteries, synods, and blies, to be of divine authority.

Of presbytery.

Which is voted to be of divine authority.

x. The independents, in a written dissent, complained he unkind usage they had met with in the assembly; he papers they offered were not read, that they were llowed to state their own questions, being told they set elves industriously to puzzle the cause, and render the st propositions obscure, rather than argue their truth seness;" they declared also, "that the assembly refused ate their main proposition—whether a divine right of h government did not remain with every particular con- tion." To all which the assembly replied, "they were nscious that they had done them any injustice, and as e rest, they were the proper judges of their own me- of procedure."

The independents protest against this decision;

c. During this discussion, the English parliament made attempts to procure an accommodation between the s; and the independents, when they saw that the pres-

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Solicit toleration;

byterians would carry the question, pled strongly for an indulgence or toleration, especially as they agreed in the essential doctrines of the scripture; but the presbyterians considered it as an aggravation of the crime, to create a schism about lesser matters, when they agreed about the greater. The parliament, however, where the erastians predominated, still anxious to procure a compromise, or at least mutual forbearance, appointed a committee to act as mediators. Before it the question of uniformity was strongly insisted on by the presbyterians, from the danger of setting up altar against altar, and creating strifes, heresies, and confusions in the church. The independents could not perceive the necessity of rigid uniformity for the preservation of peace, and argued, that it ought not to extend beyond people's light and measure of understanding, according to the apostolic canon, "As far as we have attained, let us walk by the same rule."

Which is refused by the presbyterians.

But all the endeavours of the committee proved abortive; the unyielding presbyterians concluded their last paper, by a peremptory refusal to recede from their principles of coercion, which they avowed in the following strange declaration.

Their declaration.

"That whereas their brethren say, that uniformity ought to be urged no farther than is agreeable to all men's consciences and to their edification: it seems to them as if their brethren not only desired liberty of conscience for themselves, but for all men; and would have us think that we are bound by our covenant, to bring the churches in the three kingdoms to no nearer a conjunction and uniformity than is consistent with the liberty of all men's consciences! which, whether it be the sense of the covenant, we leave with the honourable committee." Burroughs, a respected and eminent minister among the independents, replied, "That if their congregations might not be exempted from that coercive power of the classes, if they might not have liberty to govern themselves in their own way, as long as they behaved peaceably toward the civil magistrate, they were resolved to suffer, or go to some other place of the world where they might enjoy their liberty. For, while men think there is no way of peace, but by forcing all to be of the same mind—while they think the civil sword is an ordinance of God, to determine all contro-

Burroughs' remarkable reply.

rsies of divinity, and that it must needs be attended with ıes and imprisonments to the disobedient—while they apehend there is no medium betwixt a strict uniformity, and general confusion of all things—while these sentiments preil, there must be a base subjection of men's consciences to avery, and great disturbances in the christian world." Lite did the divines think, that in less than twenty years, all ıeir arguments would be turned against themselves; that ıey should be excluded from the establishment by an act uniformity, and plead in vain for that indulgence they now enied men whom they acknowledged as brethren.

LXXI. But the victory of the presbyterians was not comlete till their system received the sanction of the parliaent, and was established in the plentitude of its power, nder all the pains and penalties usually inflicted by a doinant church. The majority of the house of commons, owever, they knew, although friendly to the form of presytery, were not friendly to the exclusive supremacy of resbyterian church courts; and they therefore endeavoured to carry by stratagem, the approbation of this body of ıe legislature. Their commissioners, warning all their upporters to be early in the house, brought on the quesion, in hope to decide it before the meeting filled; but Mr. Glyn, an erastian, aware of their intention, spoke an our upon the *jus divinum*, and Mr. Whitelock succeeded im with a speech of similar, or greater length; and before e had finished, the house was filled, and the proposition om the assembly was carried in a modified shape, "That is lawful and agreeable to the word of God, that the urch be governed by congregational, classical, and syno- ical assemblies." Undescribable was the disappointment f the presbyterian ministers on the rejection of their claim a divine right: they applied to the city, and obtained om the common council a petition, representing religion tself as in danger, if the discipline of the church by presbyeries were not established; and desiring that their powers ight be ratified by law. The commons refused the petiion. It was followed by another from the ministers, which as not only not allowed to be read, but a committee ap-

Decision of parliament disappoints the presbyterians.

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pointed to inquire into the origin of measures so disrespectful to government.*

LXXII. Connected with the ecclesiastical proceedings, were the political intrigues of the Scottish commissioners. Man is so much the child of circumstances, that it is impossible to predict *a priori*, how the same person will act in different situations. It is therefore no great matter of surprise to find the pretensions of a church dominant very different from the petitions of the same association when under persecution. The Scots were at their highest point of elevation when the Solemn League and Covenant was entered into; they held, or at least supposed they held, the fate of the king and parliament in their hands; and had they been contented to reap the rich but rational profit which their situation afforded, they might have established a moderate —if tolerating—presbytery throughout the three kingdoms; but imagining, that instead of accomplishing this by argument or conviction, they were to achieve it by the efforts of their arms, they began to look forward to the rich pastures of the land, and anticipate them as the wages of their assistance. This prospect, if it did not beget, nourished and strengthened the principle of exclusive supremacy so natural to all establishments, and led them, by every method, to endeavour to attach to themselves the support of the civil and military power. The city of London was early favourable to presbytery, and the officers of the army were also inclined to support it; till the high pretensions of the ministers alienated the affections even of their friends,† and drove them into the political measures of the independents.

Their political intrigues.

LXXIII. In order to secure freedom from ecclesiastical bondage under a new shape, Cromwell, whose vigorous talents and exemplary conduct procured him at the outset an influence in the council and the field, and whose manners gave him a hold in the affections of the people, which pro-

Cromwell opposes them.

* The authorities I have followed in this brief notice of the Westminster Assembly, are chiefly Baillie and Whitelock, who were present, and took an active part in the proceedings, and Neal's History of the Puritans.

† Baillie, vol. ii. pp. 61, 67.

sed the highest rank in the state, decided at once to op-
se the intolerant principles of the presbyterians.* He
:refore became obnoxious to them, in proportion as he was
t forward by the friends of religious liberty; and the credit
ich he acquired at the battle of Marston-moor, made
:m redouble their endeavours to get him removed from the
ny. Their plots for this purpose, and their wishes to pre-
ve in the army officers subservient to the presbyterian in-
est,† although of inferior ability, produced, along with
ıer causes, the self-denying ordinance, and the remould-
; of the army, by which almost every Scottishman was dis-
ssed the service of the English parliament.

They plot to remove him from the command.

LXXIV. Spring was considerably advanced before the new
ıdel was completed; but the superiority of discipline which
introduced more than compensated for the delay. Their
ınt of chaplains was decried by the presbyterians, but the
y officers supplied that deficiency; and bound themselves
closer union with the soldiers, by being at once their spiri-
al guides and military leaders. The king's party ridiculed
ıe dismissal of the old, and the appointment of the new offi-
ers,‡ never suspecting that activity, spirit, and genius, could
oon compensate for the want of common place routine; but
he danger most to be dreaded was, lest a spirit of discontent
ıight be engendered, by turning off so many respected com-
ıanders whom the new regulations forced to retire; yet the
eal of the soldiers surmounted this, and the campaign open-
d with an army whose disposition and equipment soon ren-
lered it respected. Cromwell, who was employed on a dis-
inct service when the self-denying act passed, was met, upon
iis arrival at Windsor, where he came to take farewell of the
rmy, by a dispensation, allowing him to continue in com-

The army remodelled.

Opening of the campaign.

* Baillie is an unexceptionable witness in this case: he was a keen opponent of Cromwell's, but he bears this testimony to his character. "The man, [Cromwell] is a very wise and active head, universally well beloved, as religious and stout," Letters, vol. ii. p. 60. He complains of his endeavours to procure toleration for the independents, ib. p. 61, and laments that "the great wit of Cromwell and Vane, is to have a liberty of all religions, without any exception," ib. p. 61.

† Baillie, vol. ii. pp. 66, 77.

‡ The new model was generally, by the king's party, called the new noddle! Whitelock, p. 136.

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mand for a certain time; and afterwards, at the particular request of sir Thomas Fairfax, was nominated lieutenant-general of the cavalry. He justified the appointment, by almost immediately dispersing a brigade of the royal horse near Issip-bridge, consisting of the queen's, and three other regiments, taking the queen's standard, and a number of prisoners. Fairfax proposed commencing active operations, by marching to the relief of Taunton, which had held out to the last extremity; but being ordered by the committee of both kingdoms to besiege Oxford, he sent only a detachment, which, mistaken for the vanguard of his whole army, easily accomplished their object, though, on the truth being discovered, they in their turn were besieged.

LXXV. Simultaneously with the movements of the parliamentary troops, the Scottish army was directed to march south, where they would have been joined by re-enforcements sufficient to have enabled them to cope with the forces under the king; but, chagrined at the marked disrespect paid them in the formation of the new model, and not satisfied with the plan of the campaign, they refused to act in concert; and marched and countermarched, till they allowed the opportunity of retaining their ascendancy in England to escape, disappointed their friends, and sunk in the estimation of all parties. Meanwhile, Charles attacked and carried the town of Leicester by storm, where the wealth of the surrounding country had been deposited for safety: that he distributed among his soldiers, and allowed them besides the pillage of the place, which they prosecuted with every species of outrage and inhumanity; conduct scarcely to be palliated in mercenaries, by the exasperation long resistance is calculated to produce in troops fighting only for plunder, but certainly difficult to reconcile with the boasted principles of humanity to which his majesty laid claim; and which his apologists have been ready to assume that he possessed.

Scots lose their ascendency.

Success of the king.

LXXVI. Elated by this, and some other smaller successes, the king wrote to his consort, that his affairs were never in so hopeful a posture; and the parliament, roused by the public clamour, which magnified these advantages, sent directions to their general to raise the siege of Oxford, and proceed in pursuit of his majesty. He immediately ordered his forces to

centrate and march, with full determination to give battle; rencounter between Ireton and the rear guard of the royal r, two miles from Naseby, about 11 o'clock in the evening, informed Charles of the approach of the enemy. Taken nrprise, he summoned a council of war, to deliberate her it would be advisable to retreat, or fight on the nd they occupied; when perceiving, that although the van t escape, it would be impossible to bring off the rear with r, and considering themselves stronger in cavalry, not or in infantry, and commanded by much more experien- fficers, it was resolved to risk an engagement, but to ad- : against the enemy, instead of waiting for his attack. morning, [Saturday, June 14th] the two armies drew up der of battle, in a large field, about a mile broad, on the -west side of Naseby. The royal word was, queen Mary— arliamentary, God, our strength. Fairfax was stationed on row of a small hill, whence he ordered a party of three red musketeers, to advance about a gunshot, with in- tions to fall back upon the main body, if hard pressed. royal army marched up in line with great alacrity and ution; prince Rupert, who led the right wing, com- ing with a furious charge on the enemy's left. He was ved by Ireton with equal bravery; but his repeated at- were successful, and he broke and pursued them out e field as far as Naseby. Between the two main bodies, nanded by the king in person, with lord [late sir Ja- Astley, and the earl of Lindsay under him, on the one and Fairfax, assisted by Skippin, on the other, the bat- as maintained long and doubtfully; till the superior ralship of Cromwell, with the right wing, decided their nd the fortune of the day. He charged the left wing e royalists, under sir Marmaduke Langdale, with equal tuosity and equal success, at the time that prince Ru- did that of the parliamentary army; but instead of wast- is advantage, he sent a detachment after the fugitives cient to prevent their rallying, and with the greater part is victorious troops, wheeled to the centre, and attacked king's main body in rear. One battalion only remained ovable, and ere Rupert's return, all except a body of e which the king himself had rallied, were scattered over

Battle of Naseby.

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the field. With these Charles was desirous to renew the battle. "One charge more!" he exclaimed, "and we recover the day;" but the odds were too fearful; with horse alone to attempt a formed line of horse, foot, and artillery, would have been an useless prodigality of life; they could not be prevailed on to renew the attack, and retreated in disorder, to within two miles of Leicester, pursued by Fairfax's horse. The numbers slain in this battle were not in proportion to the importance or magnitude of the victory. They do not in all appear to have amounted to more than a thousand or twelve hundred, but the prisoners taken were five thousand, and the infantry so totally ruined, that hardly a fragment of a regiment could be collected. All the baggage, artillery, stores, and plunder belonging to the royal army, was taken, and perhaps, what was not the least important, the king's cabinet fell into the hands of the victors. In the engagement, the commanders of both armies distinguished themselves. The king was remarkable for his conduct and courage; he was among the foremost in danger, and among the last on the field. Old Skippin was early wounded, but when requested to leave the ground to have his wound dressed, he answered, he would not remove so long as a man would stand; and Fairfax himself, when his helmet was knocked off, on being offered one by D'Oilvy, lest so valuable a life should be too much endangered, refused to cover his own head at the expense of his friend's. Nothing posure was ever more complete than that of Charles, when his private correspondence was published; more deliberate perfidy could not exist, nor could the worst enemy of royalty have desired a more pitiful portraiture of kingcraft, than the letters of the "pious monarch" contained.

The royal forces completely defeated.

The king's cabinet taken.

He retreats to Wales.

LXXVII. Astonished at his defeat, Charles retreated into Wales with the remains of his horse, in the hopes of being able to recruit, in a country generally well affected to his cause, and to wait till the promised succours should arrive from Ireland or the Continent, or till he could effect a junction with Montrose, to whom he now looked as the stay of his fallen fortune. The parliamentary generals followed up their success with rapidity and effect. Leicester capitulated to Fairfax, two days after the battle of Naseby, and Taunton

Parliamentary forces follow up their fortune.

as again relieved at his approach. Bridgewater, Bath, and Sherwood were taken; and Bristol, which prince Rupert had been expected to defend for some months, surrendered as soon as the outworks were stormed; a disappointment at which the king was so much exasperated, that he recalled his commission, and sent him a pass to leave the country. After the fall of Bristol, Cromwell reduced Winchester and Bassinghouse, while Fairfax proceeded to Cornwall, where the shattered forces of Hopeton being forced to surrender, the whole of the western and midland counties, ere the close of the year, submitted to the authority of the parliament. The prince of Wales, now about fifteen years of age—afterwards Charles II.—at the same time retired to France to his mother.

Prince Charles retires to France.

LXXVIII. After the surrender of Newcastle, part of the Scottish army besieged Carlisle, which bravely held out till the 28th June, when it capitulated upon honourable conditions. The remainder, who had marched as far as Ripon, upon receiving intelligence of the king's intention to penetrate to Montrose, removed into Westmoreland to cover the siege, and protect the borders, in opposition to the entreaties of the Scottish commissioners,* who despatched messengers to hasten their advance south, in order to render effectual aid in the decisive operations which were daily expected. When the field of Naseby had been gained by the independent leaders, they then, towards the latter end of June, advanced to Nottingham, whence, on the 2d of July, they came to Melton Mowbray, and dispersed into several parties in Worcestershire and Herefordshire, obstructing the new levies attempted to be made for the king in these districts. They carried by storm a small garrison at Canon Froom, on the 22d, and about the same time, an attempt was made to seduce the generals into a negotiation with the king, through the medium of sir William Fleming, nephew to the earl of Callander; but although dissatisfied with the proceedings of the two houses, the proposals were instantly rejected, and transmitted to parliament, who, in return, voted a letter of thanks, and a piece of plate to the

Scots take Carlisle.

Advance into England.

Attempt to seduce them ineffectual.

* Baillie's Letters, vol. ii. p. 103.

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earl of Leven. It was then resolved, that Hereford should be invested by the Scots, who sat down before it on the 30th of July. In the beginning of August, Charles descended from Wales, and advanced to Litchfield, with the view, it was supposed, of raising the siege; but the earl of Leven having despatched David Leslie with the horse, to hover round his march, he made a demonstration as if he intended to proceed towards the north; there, Pointz and Rossiter opposing his progress, he broke into the associated counties, took Huntingdon, approached Cambridge, and returned with his army greatly re-enforced, to raise the siege of Hereford. Leven, whose forces had been left neglected from the time the parliamentary arms had become so decisive, had, notwithstanding the want of a battering train and ammunition, pushed forward the siege with great spirit. He had completed his mines, which were ready to explode, when a constant rain of eight days flooded the country, and rendered them useless; yet still he had determined to storm the city, when intelligence was brought him of the advance of the king's army, and the march of David Leslie into Scotland, with the whole of his cavalry, to meet Montrose, now master of the field. His situation was perilous, as the king was strong in horse, and the army was discontented; for they had only received one month's pay in six, and had been forced, during the siege, to subsist on fruits and growing corn; he therefore drew off his army, and commenced his route northwards. When the besiegers had departed, Charles visited Hereford, where he learned the fall of Bristol, and the hazard of Chester. As the latter was necessary to secure the safe landing of his expected succours from Ireland, he hastened to relieve it. Within two miles of the city, Pointz encountered him, and was repulsed; but an attack from the camp of the besiegers on his rear, snatched the victory from his hands, and he was forced, with the broken remains of his troops, to betake himself once more to the mountains of Wales, whence, after refreshing his men, and collecting a little army of about three thousand, he came to Newark on the 4th October. Alarmed by the still continued success of the parliamentary arms, and fearing to be besieged, he departed during the night,

They invest Hereford.

The king takes Huntingdon.

Leven raises the siege of Hereford.

Charles retires again to Wales.

slender guard, for Daintry, where he was met by the f Northampton, who escorted him to Oxford.

1645 Arrives at Oxford.

IX. A grievous pestilence which desolated the south ɔtland, prevented the estates from assembling in Edin- . They met first at Stirling, and afterwards at Perth, months of July and August, 1645, but their acts for the ty of the country were vigorous, and commensurate to angers which were daily accumulating around them. ttensive levy was ordered; the noblemen were enjoin- arm, and all emigration to Ireland or England, or de- g the standard of their country, were declared punish- ɔy the severest penalties. At the same time, they signi- heir approbation of their two generals, Baillie and Hur- though both had been unfortunate. The former, who endered his resignation at Stirling, was prevailed upon ɔ continue in command, under the direction of the chief ɪmen. But the efforts of the country ill seconded the or- ɔf the parliament. The forces were tardily raised, and al- wholly undisciplined; while the troops of Montrose now been thoroughly trained, and were elated with a nued series of success. The covenanters assembled in eighbourhood of Perth, to guard the parliament, and ɪrose having waited a few days for the return of Aboyne, ɪt himself on his march south, to prevent the levies in break up the meeting of the estates, and effect a junc- with the detachment of horse he expected from the

A parliament—its vigorous measures,

badly seconded.

Montrose marches south.

In his progress he was joined by the Atholmen, Macleans, Macgregors, the Macnabs, the chief of Clan- d, and Glengarry, who were attracted by the news of ɪccess, and the hopes of sharing in the honours or the

IX. Wherever he went, his unextinguishable hatred to ame and clan of his rival Argyle displayed the rancour envious soul, and the cruel revenge, of which a bandit partisan alone could have been guilty. Macdonald, his Irish, were unleashed upon the Campbells in the ɪip of Cupar, and carried murder in its coldest, most ɪrate, and revolting shape into the cottages, whose ɪg ruins were left smoking, to cover the mutilated re- of their massacred inhabitants. But Baillie, although

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1645. Threatens Perth—retreats.

formidable only in appearance,* hung upon his rear, and he retreated northward, to meet the expected arrival of Aboyne. On being joined by him, he encamped in the wood of Methven, and threatened Perth, but, deficient in cavalry, upon the appearance of the covenanters, he judged it prudent to retreat once more to the hills, to await the arrival of fresh re-enforcements. During this movement, he exposed himself to have been attacked in flank, and orders were issued by Baillie, for Hurry to harass him with Balcarras' regiment; but that officer was so negligent and slow in his motions, that he allowed the enemy to pass the ford of the Almond in safety, Baillie himself with the foot, arriving nearly as soon as he did with the dragoons, and, instead of finding an enemy disordered by an unexpected charge of cavalry, saw them at a distance, retreating in good order among the hills, secure from any attack by horse; and had his infantry been even superior in numbers, their training was so short, and their discipline in consequence so wretched, that nothing but necessity, and the most decided superiority, both in strength and ground, could have justified the hazard of an engagement, on the part of the covenanters.

Followed by Baillie.

LXXXI. Joined by his recruits from Lochaber, Montrose descended from the mountains, and finding that a number of the newly raised and irregular forces of his opponents had retired home, he endeavoured to provoke them to battle;

* The description of the armies under Elcho and Argyle, vide pages 158 and 181, will apply to all the raw levies of the lowland Scots. They were only gathered together for an occasion; when a mere temporary purpose was served, the poverty of the country could not keep them embodied, and they were disbanded; when re-collected, the little discipline they had learned was an absolute disadvantage. It totally unfitted them for acting in a collected body, and, at the same time, cramped their individual energies, and destroyed their capacity for regular warfare. The troops of Montrose, although somewhat similarly raised, were a totally different description of men. The majority of the lowland levies were people accustomed to the regular peaceful occupations of life, whose spirit was indeed unconquerable, and whose bodies were as stout as the others; but the highlanders were universally and constantly accustomed to marauding expeditions. If not engaged against the common enemy, the *Sasenach*, they were in unceasing action by the feuds among themselves. They were like the links of the chain, ready moulded, and needed only to be collected and fastened, while the others were the rude material, awkwardly half formed, unfit, when collected into a mass, for connecting with their fellows, and useless by themselves.

but their little army was intrenched, and were expecting the assistance of three Fife regiments. Finding that he could not induce the covenanters to leave their intrenchments, nor assail them where they were, he burned the parishes of Muckhart and Dollar, and quartering his main army in the wood of Tullibody, he let slip his dogs of war—the wild Irish—during the night, to spread the horrors of nocturnal rapine and bloodshed, through the town of Alloa, and the adjoining lordship; notwithstanding which, he himself, with the earl of Airly, and his chief officers, were next day magnificently entertained in the castle, by the earl and countess of Mar.* From Alloa, his route was directed south-west, for the purpose of counteracting the earl of Lanark, at this time busily employed in raising a new levy in Clydesdale; and passing the Forth above Stirling, he encamped at Kilsyth, a village in the extremity of the shire. The covenanters' army, on being joined by the Fife regiments, followed, and marching by the bridge of Denny, halted at the Holland-bush the same night, two miles and a half from the enemy.

Burns Muckhart and Dollar.

Alloa.

Encamps at Kilsyth —the covenanters at Holland-bush.

LXXXII. General Baillie, who wished only to observe their motions, knowing well what kind of troops he commanded, was over-ruled by the committee, and the army ordered to approach nearer them. This was accomplished by a difficult march over corn fields and broken ground, but the position he took up was advantageous, and at no point could have been attacked by a front of more than twenty men. The lords, however, who were informed that Montrose was marching westward, afraid that he would carry his ravages into that part of the country which had still escaped his fury, or that he would again seek refuge in the mountains, were eager to engage. In vain did Baillie urge, that it would be ruinous to leave their strong position, and that the loss of the day would be the loss of the kingdom; while he, if defeated and driven to the hills, would suffer no comparative damage. Only one lord, Balcarras, agreed with him in opinion; and the army was ordered to remove to a hill on the right, whence they could descend upon the enemy with effect, or receive their attack upon the height under every advantage.

Baillie over-ruled by the committee.

* Guthrie's Memoirs, p. 193.

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In proceeding to take up their new alignment, the d officers acted as independent commanders, remaining quitting the stations to which they were directed, judged most convenient. The consequence was ine the enemy, under the sole direction of one leader, so

Battle of Kilsyth.

ceived their confusion, and before they had all arrive ground, attacked with impetuosity. The charge w cessful. The horse were driven back upon the foot, disorder became at once general and irremediable highlanders and Irish, half naked, rushed upon th struck multitude with wild outcries; and during a pu fourteen miles, followed the fugitives with unrelentin covering the country with the carcasses of the unarmec

Covenanters completely routed.

who had thrown away their weapons, and sought s flight. No quarter was given, and the historian o trose's wars exultingly relates, "that six thousand w to the sword, and even the vanquished themselves al thousand to have fallen. The loss on the side of t querors was small; and the whole of the ammunitic gage, and stores of the covenanters, were the reward victory."*

LXXXIII. Not an enemy now remained in the field pose Montrose, who marched next day into Clydesd established his head quarters at Bothwell. Glasg mitted, and was saved from being plundered on p

Montrose enters Glasgow.

considerable ransom; only a few of the principal inh were put to death, as incendiaries, in order to inspir into the rest. But it was now necessary to affect mod in order to induce the people to join the royal st To those who congratulated him upon his success,

Affects moderation.

haved with affability and condescension. All he d ed of them," he said, "was to exchange the rapaci oppressive tyranny of the covenanters, for the mild ment and tender protection of their most gracious so For his own part, his only intention, from the begi these troubles, had been to endeavour, by force of seeing all other means had proved ineffectual—to the religion and liberty of his country; to defend th

* Wishart. General Baillie's Account of the Battle of Kilsyth. Letters, vol. ii.

ive and the dignity of the peerage; and to rescue
erty and privileges of his fellow-subjects in general
: oppression and tyranny of a rebellious faction; and
e the people to their ancient peace, happiness, and
ır."

v. Lanark suspended his levy and fled, on receiving
ıce of the loss of the battle of Kilsyth; the principal
ters sought asylums in England and Ireland, and a
of the nobility who remained, hastened to make
ce, by offering their assistance to Montrose. Among
re the marquis of Douglas, the earls of Linlithgow,
ıle, and Hartfield, the lords Seton, Drummond,
Fleming, Carnegie, Maderty, and Johnston, besides
ı of Orbiston, lord justice clerk, with several other
:n of distinction. From his camp Montrose de-
a strong party of horse, under his nephew, the
f Napier, and Nathaniel Gordon, with a letter to
strates and council of Edinburgh, requiring them,
ain of military execution, to set at liberty all his
particularly the earl of Crawford and lord Ogilvy,
e confined as prisoners of state. With this demand,
strates, who were in no condition to dispute, imme-
:omplied; and the dreadful pestilence, which pre-
ıe inhabitants from removing their valuable effects
: of safety, secured them where they were, as the
catching the infection prevented Montrose from en-
e city, and saved it from that vengeance which his
s so well disposed to inflict.*

Is joined by a number of the nobility, &c.

The prisoners at Edinburgh released by his orders.

. Montrose was now at the summit of his eleva-
ir Robert Spotswood, acting secretary of state for
, had arrived with a commission from his majesty,
ıg him captain-general of Scotland, and he imme-
roceeded to exercise his high office, by conferring
ur of knighthood upon his trusty friend Macdonald,
moning a parliament to meet at Glasgow, on the
October. But his triumph was of short duration,
very success carried along with it the seeds of decay.
ages with whom he had achieved his victories in-

He is appointed captain-general by the king.

rt's Memoirs, ch. xiv. Guthrie's Memoirs, pp. 193—196. General
ndication. Maitland's Hist. of Edinburgh, p. 86.

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stead of inspiring confidence, spread dismay even among those who might otherwise have been disposed to aid the royal cause. The whole land resounded with the accounts of their atrocities, and their adherence could only be secured by the hope of fresh depredation; he could depend upon the Irish alone, who were objects of universal execration and horror; and they were kept together merely by the license they enjoyed of revelling in the plunder and misery of the country, and the impossibility of their either going home, or separating with safety. As soon as they had obtained what they deemed, for the present, sufficient booty, the highlanders deserted without hesitation, and retired, in the true disposition of half civilized marauders, to their hills, to enjoy in indolence the fruits of their temporary exertions. His honours, as they were not shared among the other leaders, excited an envy and discontent his haughty and arrogant spirit was not calculated to allay. He had received the submission of the towns, but he had no where gained their affections. He had taken no strength; in case of disaster, there was no fortress to which he could retire, and no friends to collect to his assistance, even if there had. He possessed no hold upon the country, beyond the terror which the horde he commanded had inspired; and they were only safe within the precincts of his camp. Instead of increasing in effective strength, Montrose found his numbers diminish during his stay at Bothwell. His mountaineers requested permission to depart with their plunder; the Gordons retired with their chiefs in disgust; and sir Alexander Macdonald, as there was no longer an army in Scotland, seized the opportunity to renew his spoliation, and avenge some private feud of his clan in Argyleshire.*

His critical situation.

Deserted by the Gordons, &c.

* The report at the time was, that in consequence of the pacification with the Irish rebels, ten thousand men, completely armed, half muskets and half pikes, were to be sent over to Macdonald, designed to run through the lowlands of Scotland, and then to ruin the malignant north of England, while the king of Denmark's son, Woldemar, was to bring over to the north of Scotland, some three or four thousand old Dutch soldiers, and from France eight or ten thousand, with a convoy of Holland vessels, to join the king's army in Cornwall. Baillie, vol. ii. pp. 185, 186. That a plan somewhat very similar was in agitation, was discovered by the papers taken in Digby's carriage. Vide next Note.

1615.

LXXXVI. The captain-general had no resource but in incessant operations; inactivity was destruction, and to prevent his army from mouldering wholly away, he turned his views to the south. Hume, Roxburgh and Traquair, were favourable; and he expected to be joined by them, and by a body of horse which the king had informed him he had sent to his assistance. These auxiliaries, amounting to about fifteen hundred, whom his majesty had despatched under lord Digby, accompanied by sir Marmaduke Langdale, were defeated in Yorkshire, by colonel Copely; and Digby's carriage, containing papers of great importance, was seized.* The two leaders next endeavoured to raise another party in Lancashire, but were finally dispersed on Carlisle sands, by sir John Brown, the governor of the castle, a Scottishman, a short while before Montrose set out to attempt effecting a junction with them; and while he waited near the borders the promised assistance of the neighbouring earls, David Leslie retrieved the character of the covenanters from the disgrace of Kilsyth; and avenged the miseries which an unbridled band of denounced murderers had for so long wantonly inflicted on the country.

Resolves to advance into England.

The forces sent to his assistance dispersed.

LXXXVII. Upon the first news of Baillie's disaster, David Leslie left the Scottish army before Hereford, and with the whole cavalry, and some foot, returned to Berwick, whither a number of the chief covenanters had fled. His intention was to cut off the retreat of Montrose to the north; but when he reached Gladsmuir, in East Lothian, about three miles west from Haddington, he learned that his opponent was lying secure in Etterick Forest, near Selkirk; and instantly changing his intended plan, ordered the whole army to turn to the left, and strike southward by the way of Strath-gala. Montrose's deficiency of intelligence, which

* These papers related to negotiations for bringing over the duke of Lorrain with a foreign force to aid the king, respecting aid from Denmark and money from Rome, and a treaty between Fitzwilliams, an Irishman, and the queen, for bringing over ten thousand Irish to England, all which were carrying on at the time the king was making the most solemn protestations and oaths, that he had no intention of applying to either foreigners or Irish. Rush, vol. vi. p. 130.

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had twice nearly ruined him before, was here fatal. His adversary knew how to improve it. Night concealed Leslie's motions, and he was within half a mile of the enemy, ere Montrose's breathless scouts gave intelligence of his approach. He instantly ordered two hundred musketeers to advance, as a forlorn hope, if possible to retard the approach of Leslie, while he formed his order of battle as well as the hurry of the moment would allow, in Philiphaugh. His one flank was secured by a ditch, and his other by dykes and hedges, which he lined with musketeers. The remainder of his army was drawn up in line, with the horse on the right. His advanced guard was quickly driven in; but his infantry for a whole hour maintained their ground and contested the day with all the fury of desperation, till at last Leslie made a tremendous charge with his own regiment, and broke the foot; the horse, who were inferior, could make little resistance. Montrose himself fought bravely, and rallied his horse twice; but they were unable to check their pursuers, and their ineffectual attempts were only productive of greater loss. A thousand royalists were left upon the field, and a hundred Irish were afterward shot at a stake, a severe retaliation, but one which the laws of war allow—and which that party violence alone, that would confine mercy to one side, and absolve whatever cruelty is perpetrated, under the abused term loyalty, from punishment, can with any consistency, condemn.* To accuse the

Himself defeated at Philiphaugh.

* It is almost unnecessary to refute the calumnies of Wishart, as they must with credit from none except the most desperate anti-covenanting writers. It may be sufficient to notice, that the good bishop precipitates men, women, and children over a bridge into the Tweed, at a time when there happened to be no bridge over that water from Berwick to Peebles; and the horror he attempts to excite at the cold-blooded massacre, will, perhaps, diminish, when we consider his own statement. The horse of Montrose's army were, as he states, but few, and they in general escaped with himself. His whole infantry who fought with desperation, amounted to five hundred. Of these, two hundred and fifty rejoined him next day, so that for all the dreadful massacre there remained only two hundred and fifty subjects! Wishart, book xi. Guthrie, who also mentions the story of the clergy, is an author in these cases not of undoubted authority. In what relates to Montrose, he seems to be almost entirely copied Wishart. The Irish who were shot at a stake, were executed according to a treaty between the two kingdoms, in consequence

nisters of inciting the soldiery to unnecessary acts of cru-
y, is a charge which comes with a bad grace from histo-
ns who could exult in the recollection of such wanton
sparing waste of life as in the route at Kilsyth, or applaud
humanity of Montrose at Aberdeen. That chief, as sud-
nly humbled as he had been excessively exalted, passed
ough the country where, two days before, he had march-
as lord paramount, attended by a few horse, and with a
re rapid flight, sought to regain the fastnesses of the
untains, nor stopped till he had reached the recesses of
ole. The marquis of Douglas, lords Crawford, Erskine,
ming and Napier, were equally fortunate in making their
ape; but lords Hartfield, Drummond, and Ogilvy, sirs
bert Spotswood, A. Leslie, William Rollock, Philip Nis-
, William Murray, brother to the lord Tullibardin, Ogil-
of Innerquharity, Nathaniel Gordon, Andrew Guthrie,
to the bishop of Moray, and two Irish colonels, Okean
Laghlin, were made prisoners, and sent to the castles of
nburgh and Stirling, to stand trial.*

Escapes to Athole.

Prisoners taken.

orrible massacres which everywhere distinguished their career; and the
of all this terrible mode of warfare, must remain with those who autho-
the employment of savages, whose atrocities had cut them off from the
non mercy, such as it is, of civilized warfare. It is absurd, or worse, to
he blame on the ministers, the whole land cried out for their execution.
t. Andrews, this year, the parliament, though otherwise merciful, passed
t, ordaining the Irische prisoners taken at Philiphaugh, in all the prisons
e kingdom, especially in the prisons of Selkirk, Jedburgh, Glasgow, Dun-
n, and Perth, to be execute without any assyze or process, *conforme to
esty betwixt both kingdoms, passed in act.* Balfour's Annales, vol. iii. p.
From this it is evident, that a number of the Irish who were at Philip-
h, were spared by the soldiers and made prisoners, so that the story of
being massacred by order of the ministers, falls to the ground, Spots-
, Murray, &c. did afterwards, upon their trial, plead "quarter," but they
spared by the soldiery, and the plea over-ruled by the parliament, on the
grounds that the English parliament over-ruled a similar objection urged
e duke of Hamilton.
The defeat at Philiphaugh has been usually treated as Montrose's mis-
ne; but had he been the hero his admirers wish to represent him, it was
fortune that could not possibly have happened. He was great only
opposed to such soldiers as the raw lowland levies were; no sooner
trained men brought against him, than he was ruined by the most
ous of blunders into which a military leader can fall, that of allowing
f to be surprised by an enemy who he knew was in the neighbourhood.

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LXXXVIII. Leslie, after this victory, brought his army to Lothian, where the two Irish officers were tried by martial law, and executed. Thence he accompanied the committee of estates to Glasgow, where they, in conjunction with the committee of the church, deliberated on the measures necessary for ensuring the internal peace of the kingdom, and completing the reduction of Montrose. The committee, as a mark of gratitude, voted fifty thousand merks and a gold chain to Leslie, and 25,000 merks to Middleton. They then proceeded to the trial of some of the prisoners taken at Philiphaugh; sir William Rollock, who had accompanied Mon-

Reward bestowed on Leslie and Middleton.

That he was totally inexcusable upon every principle of good generalship, is plain from sir Robert Spotswood's letters to lord Digby, written by him before the battle of Philiphaugh, and found in his pocket when he was made prisoner. "My lord, we are now arrived, *ad columnas Herculis* to Tweedside, dispersed all the king's enemies within the kingdom to several places, some to Ireland, most of them to Berwick, and had no open enemy more to deal with, if you had kept David Leslie there, and not suffered him to come in here to make head against us of new. It is thought strange here, that at least you have sent no party after him, which we expected, although he should not come at all. You little imagine the difficulties my lord marquis hath here to wrestle with; the overcoming of the enemy is the least of them: he hath more to do with his own seeming friends since I came to him—which was but within these ten days after much toil and hazard—I have seen much of it. He was forced to dismiss his highlanders for a season, who would needs return home to look to their own affairs. When they were gone, Aboyne took a caprice, and had away with the greatest strength he had of horse; notwithstanding whereof, he resolved to follow his work, and clear this part of the kingdom, that was only resting of the rebels that had fled to Berwick, and kept a bustling here. Besides, he was invited hereunto by the earls of Roxburgh and Home, who, when he was within a dozen miles of them, have rendered their houses and themselves to David Leslie, and are carried in as prisoners to Berwick. Traquair hath been with him, and promised more nor he hath yet performed. All these were great disheartenings to any other but to him whom nothing of this kind can amaze. With the small forces he has presently with him, he is resolved to pursue David Leslie, and not to suffer him to grow stronger. If you would perform that which you lately promised, both this kingdom and the north of England might be soon reduced, and considerable assistance sent from hence to his majesty. However, nothing will be wanting on our parts here; those that are together, are both loyal and resolute, only a little encouragement from you—as much to let it be seen that they are not neglected, as for any thing else—would crown the work speedily. This is all I have for the present, but that I am your lordship's most faithful friend. Ro. Spotiswood."

Dated, near to Kelso, Sept. 10th, 1645.

trose from England, and who was specially excepted from the general offer of amnesty made by the parliament at Perth, sir Philip Nisbet, and Ogilvy of Innerquharity, were found guilty of rebellion against the state, and executed at Glasgow. The fate of the others was deferred till the meeting of parliament.

1645. Sir W. Rollock, &c. executed.

LXXXIX. Shorn of his beams, Montrose, with some difficulty, was able to raise about four hundred men in Athole, with whom he marched; but the highlanders, however attached to a fortunate plunderer, showed little disposition to join a defeated captain-general. He acquired no great addition to his forces, and Huntly, who had left his concealment, did not encourage the appearance of a superior in his districts; especially one whose former faithlessness he had not forgotten, and whose previous insults had been aggravated by his succeeding neglect, as he had never, in any of his despatches, represented the services of the house of Gordon in a favourable light to his majesty; nor procured for their chiefs any share in these honours which their followers had so mainly contributed to procure for himself. Disappointed in his attempts to obtain any assistance from Huntly, he returned by Braemar into Athole, and thence marched into Lennox, where he quartered for some time on the lands of the Buchanans; and hovered about Glasgow, till the execution of his three friends gave him warning to withdraw to a safer neighbourhood. While in the west, he made several attempts to persuade sir Alexander Macdonald, his own knight, to join him; but the fascination of his name had fled, and he found him equally unwilling to serve under a leader, in whose dangers and defeats he might share; but who was too proudly selfish to endure a partner in his power or his fame. He also despatched messengers to Huntly, with magnificent promises in the king's name, of the assistance which was approaching, and entreating him to exert himself in his royal master's cause. But when he retreated from Lennox back to Athole, he found his messenger returned, and his hopes from that quarter at an end; for the marquis had heard of Digby's defeat, and remained inflexible in his resolution of acknowledging no superior, and of allowing his clan to serve under no other commander than

Montrose wanders about the highlands.

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1645. Leslie returns to England.

himself. Montrose was therefore constrained to wand[illegible] during the winter, with a feeble and despicable band, in t[illegible] remote wilds, watched by Middleton, who was appointed [illegible] the committee of estates to prevent him from again becomi[illegible] formidable; while general Leslie, with the rest of the troops, returned to England, and joined the Scottish army under Leven, who were engaged in the siege of Newark-upon-Trent.

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1645. Leslie returns to England.

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HISTORY OF SCOTLAND.

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1645. Charles I.

1. Fierce as were the conflicts between the parties in the field, the contentions for superiority between a different set of combatants were scarcely less vehement at Westminster. The assembly of divines, when they could not obtain the

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1645. Westminster assembly.

sanction of the parliament to the divine right of presbyte as a whole, claimed the power of the keys for the elders or presbytery, as at least *jure divino*. They had vot "That the keys of the kingdom of heaven were committ to the officers of the church, by virtue whereof, they ha power respectively to retain and remit sins, to shut the kir dom of heaven against the impenitent, both by word a censures, and to open it to the penitent by absolution; a to prevent the profanation of the holy sacrament by notc ous and obstinate offenders, the said officers are to proce by admonition, suspension from the sacrament of the Lor Supper for a season, and by excommunication from t church, according to the nature of the crime and the deme of the person." The independents claimed for every par cular congregation a similar power, and of judging with r spect to the cases in which it should be exercised.

Power of excommunication—claimed by the presbyterians.

11. But excommunication in Scotland was attended with s vere civil penalties, and was capable of being rendered terrible an engine of oppression as the high commission cou This power the presbyterian ministers were inflexible demanding, and, at the same time, were equally resolute refusing toleration to any sect that did not acknowledge Every congregation and every meeting, however small, was be under the inspection, and subject to the rule of the pre bytery within whose bounds it lay. The political leaders, erastians, resisted this; and Selden contended, that excor munications, as civil punishments, were unknown till tv hundred years after Christ, when they were introduced b the popes, Victor and Zephronius, who first began to use the in their private quarrels; and so far from being *jure divin* they were evidently human inventions borrowed from t practice of the heathen. Whitelock insisted, that every mem ber of a christian congregation had a right to partake of th Lord's Supper; that if deemed unworthy, he might be warn ed against coming to the sacred table, but if he chose to com no pastor had a scriptural power to refuse him admittanc "Some have said," he continued, "that it is the duty of shepherd, when he sees a sheep feeding upon that which m do him hurt, to chase him away from that pasture; and th apply this to suspending those from the sacrament, who thi

Resisted by the political leaders.

fear, by eating and drinking unworthily, may eat and drink their own damnation. But it ought to be observed, that it is not receiving the sacrament, but the unworthiness of the receiver that brings destruction, and this cannot be within the judgment of any but the person himself, who alone can examine his own heart; and as a punishment for evil conduct, where the temporal sword is sufficient, there will be no need for this new discipline." Influenced by these arguments, the parliament, although they did not deem it prudent wholly to reject the ordinance for excommunication, as the complaint had been general, that ministers were obliged in the then unsettled state of the church, to allow worthy and unworthy communicants to mingle without discrimination; yet unwilling to concede an authority, which might be wantonly employed by the ecclesiastical rulers, to blast the reputation, or invade the comfort of those with whom they were displeased, they required the assembly to specify in writing, what degrees of knowledge in the christian religion were necessary to qualify persons for the communion, and what sorts of scandal deserved suspension, or excommunication, which were accordingly enumerated, and inserted in the ordinance; but to prevent an abuse even of this, an appeal was permitted to the civil power.

Decision of parliament.

III. In adopting the form of presbytery, as the basis of an establishment—which the parliament did by way of experiment—they determined to grant to the church no power over the sword; the cognizance and examination of all capital offences, was reserved entire to the magistrate appointed by the laws of the kingdom, and the presbytery or eldership were prohibited from interfering in any thing relating to contracts, payments or demands, or of any matter of conveyance, title, interests or property, in lands or goods. The constitution of the presbyteries was similar to those in Scotland, from whom an appeal might be made to the synod and assembly, but lay members were excluded from this last high court, and an appeal also was allowed from their decisions, either to parliament, or to commissioners appointed by it. Against this superintending power of the magistrate, the presbyterians loudly exclaimed; and their opponents said of them, that instead of being content to have "kings and

Form of presbytery adopted in England.

Displeases the presbyterians.

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queens, to be nursing fathers and nursing mothers to the church, they would not be satisfied unless they had them as humble servants, and most obedient children." The parliament, however, persisted, and when petitioned by the city of London, and the English ministers, they respectfully reminded the former, that legislation was the more immediate province of the two houses, and hinted to the latter, that their most laudable employment was to watch over the spiritual interests of their individual flocks.

iv. Grieved as the Scottish commissioners were, at the shackles which were proposed upon the church, they would have persuaded their English brethren to have submitted and waited with patience till time might have enabled them to complete the divine fabric, could they only have obtained that presbytery, such as it was, should have been the exclusive form, and no other tolerated. But the independents, who were now favoured by the army, had rapidly increased; and the whole of their weight being added to that of all who did not wish for merely an exchange of clerical masters, they not only thwarted the scheme of presbyterian supremacy, but strenuously contended for liberty of conscience; and the continued success of the new modelled army gave vigour to their party, while the inactivity of the Scottish force was a constant source of vexation and disappointment to the others, whose hopes and projects rose and fell according as they stood well or ill with the public.

Their supremacy thwarted by the independents.

v. The Scots having calculated so much upon their army, their mortification was proportionably great, when they perceived that the most decisive and prosperous campaign had been carried on under the direction of the sectaries; and they complained that the parliament hearkened to their requests, in attending to petitions for guaranteeing to them that religious freedom for which they were so triumphantly combating, forgetting that their own general had set the example of annexing to his despatches requests to hasten the settlement of the church polity. Their mortification was, however, still farther heightened by the marked preference which the parliament of England most naturally paid to their own troops, whose ranks were assiduously kept full, and whose wants were minutely attended to; and their

The Scottish disputants mortified.

querulous vanity attributed it to a design for preventing the Scots from eclipsing the deeds of their rivals in arms, as well as for counteracting the establishment of uniformity. The Scottish army had undoubtedly been neglected, in consequence of their refusal to advance before the battle of Naseby, and afterwards, in proportion as the English parliament felt that they could dispense with their services; but they were accused of supplying their wants by vexatious contributions, which they levied in the districts where they were quartered; and their discipline had obviously relaxed as their pay became irregular. When they raised the siege of Hereford, the dissatisfaction on both sides was so strong, that it was with some difficulty Leven was stopped from retiring to Scotland, or that the English parliament would consent to pay their arrears; nor was it till after he had refused to return, nor till a promise of more punctuality in future had been made him, that he countermarched. But the arrangement upon which he remained, bespoke a diminution of that confidence and cordiality which had hitherto subsisted;—the houses voted, that the Scottish army should levy no taxes or assessments on the counties through which they passed; but stipulated, if they sat down before Newark by the 1st of November, they should forthwith have thirty thousand pounds towards their pay, together with military stores and other necessaries; and, on the report that a Mr. Case was to be tried by a Scottish council of war, they resolved, that the Scottish army had no power to try any Englishman by martial law; and that Carlisle, Tinby castle, Hartlepool, and other garrisons in the north, now in possession of the Scots, should be disposed of according to the directions of the parliament. At last, the Scottish army did obey the summons, and the earl of Leven was appointed to command both English and Scottish during the siege of Newark, before which the army lay till the beginning of May, 1646, when his majesty came privately and took up his residence among them.

1645

Their army neglected.

Dissatisfied.

Stipulations on which it remained in England.

Earl of Leven besieges Newark.

VI. As the disputes between the independents and the presbyterians increased, the king—whose hopes of restoration to power by force of arms had nearly expired—while he continued his intrigues with the Irish, commenced new

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1645.

ones among the English and Scots, with the design of a taining his darling object—unlimited authority—by th most indefensible of all a monarch's means, increasing th dissensions, and availing himself of the distractions of h people. For this purpose he was anxious to go to Londo where he supposed he would be better able to manage wit effect his double, or rather treble, negotiations; and a cordingly solicited from the parliament passports for com missioners to carry propositions for peace. The parliamen who had very little faith in the king, not immediately a swering his letters, he sent a third, proposing to come hi self to the capital, if the two houses, the commissioners f Scotland, and the mayor of London, with the generals the Scottish and English armies, would grant a mutual ga rantee for his safety for forty days, during which a trea might be concluded. He offered to give up the militia fo a time to be agreed on, to re-establish the church of Eng land as it was in the days of queen Elizabeth, with liberty of conscience to dissenters, and that the affairs of Irelan should be submitted to the two houses. In answer, the two houses told the king, "That there had been a great deal of innocent blood of his subjects shed in the war by his majesty's commands and commissions; that there had been Irish rebels brought over into both kingdoms, and endeavours to bring over more, as also forces from foreign parts; that his majesty was in arms himself against the parliament of England, while there were forces also in Scotland in opposition to the parliament of that kingdom; and that the troubles in Ireland were fomented and prolonged by his majesty. In these circumstances, they said they could not perceive how it would conduce to peace, for his majesty to come to his parliament for a few days, with any intent of leaving it, especially of returning to hostility against it; but added, that they were drawing up propositions which would be transmitted to him, his assent to which would be the only way to obtain a happy and well grounded peace."

The king makes proposals for peace.

The parliament's answer.

VII. The seizure of Charles' cabinet at Naseby, and of Digby's correspondence, had so completely developed the insincerity of the king in all his former proposals, that the parliament would listen to none of his new propositions; an

their distrust was still farther confirmed by the discovery of another instance of deceit in his transactions in Ireland; and of the endeavours he was at this very time making to obtain the assistance of an army of rebels, to be in readiness to strike in when the other parties with whom he was tampering had been induced to commence hostilities, of which he then seems to have had sanguine expectations. The Scottish troops in Ulster, and the English who adhered to the covenant, having, as was already noticed, never acceded to the cessation, continued hostilities during the year 1645, and penetrating into Connaught, took Sligo. The Irish, resolved to regain the town, surrounded it in the month of October; but the governor, in a sally which he made in conjunction with sir Francis Hamilton, completely routed the besieging forces; and pursuing them for five miles, took one hundred and fifty horse, with their arms, tents and ammunition, several stand of colours, and a number of officers, and killed above two hundred, amongst whom was the archbishop of Tuam, the rebel president of Connaught and one of the supreme council of Kilkenny, who accompanied the army to visit his diocess, and exact the arrears of his bishopric. In his carriage were found a number of important papers. Among them were some which disclosed the double game Charles was playing in Ireland—for he never could trust to one plot at a time—and which the parliament allude to in their communication. He had reaped no advantage from the English troops which the cessation enabled him to bring from Ireland; but the ephemeral success of Montrose had induced him to expect that the assistance of the same banditti in England would have a similar effect; and as the papists had never opposed his despotic pretensions, he had always indulged a greater kindness for them than for any other description of his subjects. He therefore instructed Ormond, lord lieutenant of Ireland, to negotiate a treaty of peace; but their terms were so extravagant, that the king could not, without forfeiting the affections of all his protestant subjects, openly consent to them; and although the marquis was instructed to make the most liberal promises, the rebels would not consent to any treaty upon mere verbal assurances. To Ormond he could not grant powers to

Charles meanwhile negotiates to bring over an Irish force

Discovery and account of the plot.

Ormond fails in a negotiation with the papists.

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conclude a bargain upon such terms as the Irish would co sent to accept; nor, perhaps, would Ormond have acted a business which was evidently to betray the whole prote tant interest, for an object incompatible with the welfare Britain or the safety of Ireland. His only remaining source was, to employ another agent in another secret neg tiation, in such a manner as that he could disavow the tra saction, if circumstances should render that necessary. Lo Herbert, the marquis of Worcester's eldest son, a Roma catholic, and connected with many Irish families, was crea ed earl of Glamorgan, and employed in this extraordinar business. He was empowered to conclude a treaty or a pa cification with the rebels with all possible secrecy—witho consulting the lord lieutenant—on a basis of the tenor which it might be improper to inform him, and upon term which it might not be fit for the king publicly to own.

Instructions to Glamorgan.

VIII. While the more open negotiation was going fo ward, Glamorgan concluded a private treaty with the cou cil of the confederated Irish catholics, by which they we to enjoy the full and free exercise of their religion, to eligible to all offices of trust and advancement, to be e empted from the jurisdiction of the protestant clergy, a their priests to retain all the churches held by them sin the 23d of October, 1641. In return, they were to furni his majesty with ten thousand troops to help him to subd his rebellious subjects in England, and the Roman cathol clergy were to grant him two-thirds of the rents and r venues of the church, to be employed for payment of th forces in his majesty's service. When these documents we made public, Glamorgan was arrested upon a charge of hig treason, for having concluded a treaty for which he had n powers; and the king, as had been previously concerted, in message to the two houses, disavowed the whole. He ackno ledged, "that the earl having made offers to him to raise forc in the kingdom of Ireland, and to conduct them into Engla for his majesty's service, he had granted him a commissi for that purpose, and for that purpose only; but that he h no commission at all to treat of any thing else, without t privity and directions of the lord lieutenant; and this clea appeared by the lord lieutenant's proceedings with the s

He concludes a secret treaty.

Is arrested for high treason.

The king disclaims the treaty.

earl, who had orders to call him to an account." All the king's assertions, being so completely in opposition to probability, were received with incredulity; and the gentle treatment Glamorgan met with, and the continued confidence he afterwards enjoyed, fully warrant the belief that his conduct was in entire consonance with the wishes and private instructions of the king. The discovery of the secret treaty defeated its object; and England was spared the repetition of scenes such as had desolated and disgraced Ireland and Scotland, although the king incurred the guilt of the project, without reaping any of the advantages he had anticipated.

1646. Reasons for believing him the author of it.

IX. So many proofs of disingenuity totally alienated the English parliament from having any personal treaty with the king; all they would now consent to, was the sending him propositions to which they meant to require his positive answer. The Scottish commissioners were for adhering to the former proposals, which had been agreed to as the basis of the treaty of Uxbridge; the English were for imposing harder conditions; Charles, ruined as he was, and unfit to throw any weight but the name of royalty into the scale, instead of accommodating himself to his situation, by yielding to circumstances, submitting himself entirely to the generosity of the parliament without regard to parties, and showing a fearless confidence in their honourable feelings towards his fallen greatness; or making a choice, and decidedly closing with one or other of the great parties who were dividing the state, continued his complicated intrigues, and surrounded himself by toils of his own weaving. His design of "drawing either the independents or presbyterians to side with him, for extirpating each other, so that he should be really king again,"* engaged him in two different series of proposals, of which it would be difficult to say whether of them were most opposed to all his previous predilections. The independents would have consented to suffer a moderate episcopacy, but would have strenuously opposed his despotic assumptions and claims, either as lord over the consciences or bodies of men:—to these he offered toleration and relief from ecclesiastical supremacy. The presbyte-

English refuse to treat with him, but consent to make proposals for peace.

His concessions to the independents.

* King's Letter to Digby.

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1646.

He flatters the presbyterians.

rians would have granted more rigid obedience to a nanted king, and submitted to more unlimited exertio civil power, but they would have insisted upon the sup dominion of their church, and the entire abolition o darling hierarchy; and them he flattered with the hop being the sole establishment.

x. For a considerable time, Charles continued his gotiations, or rather his intercourse with the English liament; whose immovable resolution to leave him more than the name of a king, when contrasted with th parent inclination of the Scottish to less harsh condit seems to have suggested to him the chimerical idea of f

Turns his views to Scotland.

ing a coalition among the parties in the latter country; a recovering, by their means, the reins of government, wit stipulation.

Estates meet.

xi. But the estates, which met at St. Andrews, in No ber, although they did not display a spirit of vindi cruelty, sufficiently marked their determination to supp all opposition to the covenant, and to inflict exemplary nishment on those who had supported the extravagant

Proceedings against the abettors of Montrose.

murderous schemes of Montrose. They classed the d quents into those who had personally assisted the mar as soldiers, at Philiphaugh; those who had furnished horse or ammunition; and those who voluntarily, and out necessity, had had any intercourse with them; and pointed them to be fined in proportion to their crimes. only were capitally convicted; and of these, lord Hart was pardoned, and lord Ogilvy escaped by the contrivan his sister. Sir Robert Spotswood, son of the archbisho St. Andrews, formerly president of the court of session, then secretary of state, who brought Montrose his commis of captain-general of Scotland,* Mr. William Murray,

* Mr. Laing says, "Their crimes were found in those sanguinary laws a state offences, which are still flexible to the interpretation, and subservie the interests of the prevailing party—still cruel and inexorable to the un nate; but by which the adherents of each may alternately suffer. The c tion of Spotswood was peculiarly unjust. He had framed or brought the mission to Montrose, and accepted the office of secretary, which the p ment had formerly conferred upon the earl of Lanerk. He was convi therefore, of an obsolete treason, because he impugned the authority of three estates." But this was not the case—they were found guilty of

ther to lord Tullibardine, colonel Nathaniel Gordon, and Andrew Guthrie, son of the bishop of Moray, were executed. In their instructions to the commissioners at London, they show that they had unfortunately imbibed that spirit,

taken in arms against their country, and that they had not surrendered upon quarter. "Spotswood hes report by the housse wes found bimembrous. The punishment of the first wes found, after debait, to be arbitrarey to the parliament, wich wes hes adwyssing, doqueting, signating, carring and deliuering xes, and persecuting James Grhame's commissione aganist hes natiue countrey; the punishment of wich offence being, after much debait, put to the woyces of the housse, it wes wotted capitall, and he for the same judged to losse hes head. The 2d member of hes dittay prouen, wes hes beinng taken in armes aganist the countrey at Philliphaughe; wotted for the same to be forfaulted, hes goods and lands to belonge to the publick, and for the 2 forsaids faults, hes head to be strukin off hes shoulders at the mercat cross of St. Andrewes; and the magistrats of the said burghe ordanned to see the same put in executione."—Balfour's Memorials, vol. iii. p. 361.

Guthrie has a story respecting the earl of Tullibardine which may be noticed as an instance of the credit due to that book. The bishop says, "The next thing the commission went about, concerned the deposition of men's heads, in order whereunto they sent Mr. William Bennet, moderator, in Mr. Douglas' absence, and with him two others, to the committee of estates, to press the execution of the prisoners, who at their return made their report to this effect: that having proposed the commissioners desire, divers of the chief lords of the committee alighted the same, and so they were like to have obtained nothing, had not the earl of Tullibardine very seasonably risen up and spoken to this purpose. 'That because he had a brother among these men, it might be that their lordships so valued his concurrence with them in the good cause that, for respect of him, they were the more loath to resolve upon the question: but, that as for himself, since that young man had joined with that wicked error, he did not esteem him his brother, and therefore declared, that he would take it for no favour, if upon that account, any indulgence were granted him.'" After telling the story, he adds, "whether or no the earl of Tullibardine spoke so in the committee of estates I leave undetermined; but that Mr. Bennet reported it of him in the commission of the kirk, and that those other two who had been with him gave their assent to it, I may confidently aver."—*Guthrie's Memoirs*, p. 205, 6, 7.—Now, so far was the earl of Tullibardine from joining in any wish for his brother's death, that he did every thing in his power to save him. His brother was condemned upon a Friday, and on Saturday he petitioned for his life, which being refused, he on the Monday again petitioned, but could only obtain a few days respite. This youth's case, from what we know, appears the hardest of the whole; but without the full particulars, it is impossible to judge. The fact, however, is certain, his brother did strenuously endeavour to save him. "Saterday the 17 Jarij: The Earle of Tullibardin humbley petitions the housse that they wold be pleased to pardone hes brother William Murrayes lyffe, in respecte ass he auerred one hes honour, that he wes not compos mentis, as also within age—The housse after debait refusses hes petitione, and ordanes ther sentence to stand.—Monday 19 Jarij: The earle of

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1646. Instructions to the commissioners in London.

which considered uniformity in religion as the chief object to which all other considerations must be made to bend. "If the king shall grant," say they, "the propositions for religion and church government, you shall apply your most serious endeavours to procure agreement betwixt his majesty and the houses of parliament, in matters civil, wherein there may be a greater latitude, without sin, than in matters of religion, wherein the glory of God is most concerned; and his majesty shall grant the propositions for religion and church government, and grant such propositions in things civil, as may be a foundation of a just and firm peace, although he do not in every thing come to the length of our desires, expressed in the propositions of both kingdoms, we conceive peace should not be refused." The erroneous views which they entertained on this subject were likewise expressed in statutes, which, had it not been for the counteracting spirit of their religion itself—evinced in other enactments—must have proved highly detrimental, and destructive alike to freedom of inquiry and mental improvement.

Their restrictions on the press.

XII. At the desire of the general assembly, they prohibited the printing or publishing any books or papers respecting religion, without special license and privilege of the kirk, or their commissioners, under pain of confiscation, not only of the books and papers, but of "the presses, printing materials, and other moveable goods whatsomever; belonging to the said printer, the one half to belong to the kirk, to be made use of for pious purposes: beside, any further personal punishment of the said printer, that the lords of secret council, or the committees of parliament or convention should think fit;" and that not for printing blasphemous or seditious works, but "any books, treatises, histories, sermons, commentaries, *disputes*, or other papers whatsomever, treating of religion, or any point of religion, in doctrine, worship, or discipline, or concerning the kirk, the officers, govern-

Tullibardin againe this day gaue in a humble petitione to the housse for prolonging the executione of that sentence pronounced aganist hes brother Wil: Murray.—After much debait in the housse anent this petitione, at last it wes put to the woyce of the housse, the ministers beinng called that had wissited him, and ther declaratione takin, the housse granted a delay till Friday 23 of Jarij: of the executione of ther sentence."—Balfour's Memorials, vol. iii. p. 363, 4.

ent, condition, or affairs thereof!"—well might the erastians dread the establishment of an assembly, whose controlling power could produce the enactment of such a statute. But the same parliament enacted, by the same advice, that, considering how prejudicial the want of schools in many congregations had been, a school should be founded, and a schoolmaster appointed in every parish; that the heritors of every congregation should meet among themselves, and provide a commodious house for a school, and modify a stipend to the schoolmaster, not under one hundred merks, nor above two hundred, to be paid yearly, at two terms; a salary in that time which rendered the office of a schoolmaster, as ought always to be, one of respectability, as it is one of the most vital importance to a state.*

Appoint schools in every parish.

XIII. Their communications with the English parliament partook of the same unhappy bias; and the establishment of religion—by which they meant the universal supremacy of presbyterianism—stood on the threshold, as a bar to their future amicable intercourse. When the English required the delivery of the garrisons which the Scottish held, they expressed their readiness to comply with their requests, and to maintain the strictest union, provided their earnest desires respecting religion and church government, "which, as it was the principal ground of their engagement in this cause, so would the perfecting it be the chiefest joy and glory of both kingdoms," were gratified, and peace settled with truth. In another letter from the estates to the two houses, after pressing the same subject, they add, that they are persuaded, "that the piety and wisdom of the honourable houses will never admit toleration of any sects or schisms contrary to our solemn and sacred covenant." The independents, whose leaders influenced the English parliament, wished to get rid of that Scottish influence which they found so troublesome, and which now, by insisting so strenuously on one point, distracted their councils. They opposed in parliament their party's motions for church government; and in the negotiations with the king, slighted their commissioners, either by not consulting them, or by despising their advice when they

Their insisting on presbytery as the established religion,

produces coolness in the parliament.

*Acts of the Parliament of Scotland, vol. vi. A. D. 1646. Rushworth, vol. vi. p. 231, 8 Sec.

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did. Their communications with the Scottish parliamen too, were rather like matters of form, than that union councils which had formerly taken place. The arrangir of the militia, which was to have been under a committee both nations, by the former proposals, was now to be und the immediate command of each parliament respectively an alteration which mortified the Scots extremely, who wer eager to maintain the footing they originally held in the di rection of the military power of both nations; and they wer therefore desirous that the English militia should not be en tirely taken away from the king, with whom they would ra ther have had it intrusted, than left to the sole disposal o the English parliament. As a counterpoise, they cultivate the friendship of the city of London, and for some time re tained their influence there; as their magistrates were chief ly, and their ministers almost wholly, presbyterians; an they were, besides, dissatisfied that the power over their ow militia should be proposed to be taken away from them.

XIV. Meanwhile, the emissaries of all parties appear t have been active, and a thousand varying reports were dail circulated, which the instability of the times, and the pro tracted negotiations of the king were calculated to originat and keep alive; while he, daily expecting that some even propitious for himself might arise out of the confusion, sooth ed both parties by promises, while he endeavoured to irri tate them against each other. Ashburnham conducted hi intrigue with the independents, but he found that promis to them as a party, produced no effect; because, as a relig ous body, they had no favour to ask separate from the we fare of the public, and the enjoyment of rational freedon and could not, therefore, separate from the parliament. Th negotiation with the presbyterians was managed by th French ambassador, Montreville; and their fears were a tempted to be wrought upon, by representing the indepe dents as enemies to that kingly government, which in the covenant they had sworn to support. His principal objec however, was to gain the Scots, and on his application t their commissioners he was at first favourably receive but they would enter into no negotiation which did not, a primary article, admit the complete abolition of episc

The king's intrigues with the independents,

Presbyterians,

pacy: and the king, who was persuaded that a servile priesthood was better adapted for the purposes of despotism than even a military force, rather than give up an order so completely dependant on the crown, would rather have consented to surrender the militia than the hierarchy. Finding himself unable to bend either, Montreville undertook an expedition to Scotland; but in this he was equally unsuccessful. With the Scottish army, however, on his return, he concluded an arrangement which has never been properly explained, but of which, when Charles was pressed by the advance of the army under Fairfax, and had only the choice of fleeing, or being blockaded in Oxford, he ultimately took advantage.

And the Scottish army.

xv. Alarmed at the idea of being made a prisoner, and hoping to induce the co-operation of the English and Scottish presbyterians for his restoration, or again trusting to some lucky chance in the chapter of accidents, if he could only, for the interim, obtain personal security, the king professed, at last, his willingness to subcribe the presbyterian formula, provided they could convince his conscience of its consonance with scripture; and the Scots, in return, are represented to have engaged that they would employ their men and forces in the recovery of his majesty's just rights. This, or something like it, appears to have been the amount of some indefinite arrangement, in which the parties, interpreting the terms each according to their own wishes, expected more than either had engaged to perform. The Scots could not believe that the king would be so "judicially blind," as to refuse accepting the covenant, the only method left for uniting the English presbyterians and the city of London with them; aud he, in the first instance, trusting, or pretending to trust, to the averments of the Frenchman, as sanguinely imagined their proposals to infer an unconditional obligation on their part, to espouse his cause during the time his mind was in the process of conversion; but if he ever did seriously believe that they would engage on such vague assurances, they undeceived him, by explicitly informing him, before he left Oxford, of the impossibility of their violating the covenants, and by their refusing to receive his adherents, or co-operate with Montrose; a

Montreville's arrangements

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project which they knew would have exposed themselves ruin, without enabling them to serve him.* That no c tain arrangements had been agreed upon, appears evid from his uncertainty, even after he had left Oxford.

Charles escapes from Oxford.

XVI. When his danger grew imminent, at midnight, Monday, 27th April, having ordered that three perso should be let out at the same hour, at each of the oth gates of the city, he withdrew, accompanied only by D Hudson, and Mr. John Ashburnham, groom to his bedcham ber, and disguised as the servant of the latter, whose port manteau he carried. Hesitating whether to attempt going north, and joining Montrose—on whom, notwithstanding hi reverses, he continued to repose the most delusive confidenc —or repair to London, and, amid the factions which at tha time rent the capital and the parliament, try to make a more advantageous bargain than he could expect from the Scots,†

His indecision.

he proceeded to Henley, Brentford, and Harrow-on-the-Hill, within sight of the metropolis, where he remained some time. He there, most probably, learned the decisive measures taken by parliament to secure the peace of the city and the apprehension of his royal person, and came to the unfortunate reso-

Resolves to go to the Scots.

lution of trying the effects of his intrigues in the Scottish army. Thence he turned towards St. Albans; on the road to which, the fugitives were sadly alarmed by a man on horseback riding furiously, and, though delivered from their fears, by perceiving that he was intoxicated, they passed St Albans out of the common road, and stopped at Harborough, where they expected Montreville with an escort o horse, to lead them to the Scottish camp.

XVII. Disappointed by their agent, after wandering abou the country, the king and Ashburnham remained for some days in a petty alehouse at Downham, in Norfolk, when Dr. Hudson was despatched to inquire after the Frenchman and the cause of his failure. While here, he narrowl

* Clarendon, vol. iii. p. 16.

† "Whether the King's ill councel or destinie led him, he was very fail in this action; for, had he gone stright up to the Parliament, and cast himself upon them as he did upon the Scotts, he had, in all probability, ruined the who were highly devided betweene the presbiterian and independent factions Hutchinson's Memoirs, p. 264.

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ɔed detection from a barber, who remarked the uneven- of his hair, which had been purposely ill cut, to prevent ɔeing known. On Dr. Hudson's return, he repaired to French agent, who lay at Southern, whence he went ıtely to the Scottish camp, where he arrived on May nine days after he had left Oxford. The king, al- gh he had come unexpectedly, was received with respect, a guard appointed, and resided at lieutenant-general id Leslie's quarters—who, since the victory at Philip- ;h, was in greater esteem with the army than Leven, n he had also eclipsed at Marston-moor—but he was ented from intermingling or interfering with the affairs he country. His arrival was immediately announced to English commissioners resident in the camp, who inform- he parliament, and, by a despatch from the general and mittee of estates, to the committee of both kingdoms, ɛssing their surprise and astonishment at this unlooked ɛvent; and their intention to improve it to the best ad- age, for promoting the work of uniformity, settling of ion and righteousness, and attaining peace, according to league and covenant, by the advice of the parliaments of kingdoms, or their commissioners; but declaring, that e had been no treaty nor capitulation between his ma- and them, nor any in their names.

Arrives in the Scottish camp- his reception.

They inform parliament,

VIII. To prevent any requisition from the English parlia- t, or the necessity of encountering an English army, they rmined to march northward with his majesty, till some ngement could be made for securing a peace upon their terms, and according to their construction of the so- league and covenant. In order, however, to do this ɔurably, it was necessary that their engagement with the lish parliament should be punctually fulfilled, and New- reduced before they began their march; they therefore ured the king's order for its surrender, and when his sty wished they should retain it in their own hands, the ral answered, "to remove all jealousies, it must be yield- the parliament of England." Next day after the arti- were signed, they broke up from the town, and proceed- wards Newcastle, the king, with lieutenant-general Les- the van.

and march north.

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Parliament demands the king's person

xix. These precautions were not taken in vain. As as the two houses received intelligence of the king's t in the Scottish army, they voted, "That the general commissioners of the Scottish army be desired, that his jesty's person be disposed of, as both houses shall di that his majesty be thence disposed of, and sent to War castle; and that Mr. Ashburnham, and the rest of t that came with the king into the Scottish quarters, shoul sent for as delinquents by the serjeant at arms, attending said house, or his deputy." They also ordered, that E Island, which lay open to an enemy, should be garriso as a post of great consequence to the northern district the kingdom: and a strong body of horse was sent no ward, with the evident intention of watching the motion the covenanters; but they reached Newcastle without in

Scots refuse.

ruption, and thence transmitted their apology for not com ing with the vote of parliament, and their reason for not st ping on their road; as they had "received advertisement five thousand horse and dragoons were on their march no wards towards them, no enemy being in those parts, that two of their messengers were intercepted and searcl they could not halt till the army should come to a more c venient place, being unwilling that the forces of the kingdoms should engage upon a mistake." Ashburnl not having been declared a delinquent, they said they l no grounds for arresting him, except his attending the k to their camp; and doing so, would have been declar that they had no right to receive the king when he came them, simply attended by a servant, which they conten was as proper for them to do as it would have been for Thomas Fairfax or the English parliament, in similar c cumstances;—the disposal of his person was reserved for ture discussion.

Affairs in the north —Macdonald harasses Argyle.

xx. While these negotiations were going forward, t internal state of Scotland was far from being tranquil. M donald continued to harass Argyleshire, burning and c stroying what had been left during their former invasion till despair and hunger forced about twelve hundred of t ill-armed starving inhabitants to collect, and emigrate, und Ardinglass, into Monteith, to live upon the lands of the m

lignants, which had escaped the ravages of the Irish; but a party from Athole, under Inchbrackie, fell upon them at Callander, and chased them beyond the Forth to near Stirling, where they re-collected, and were joined by the marquis, who carried them into Lennox, and quartered upon the lands of lord Napier, till he obtained an act to imbody them into a regiment, and station them in different parts of the highlands, and a grant from parliament of a supply to provision the castles. While they lay in Lennox, lord Napier, with the lairds of Macnab and Ballach, assembled a force, and were advancing to expel them; but Maitland, apprized of the design, interposed with his troops, and the royalists being unequal in numbers, retired to Kincardine house, belonging to Montrose, which they fortified, in the hope of being able to hold out till relieved; but Middleton following close upon their march, obtained a battering train from Stirling castle, and, having opened a fire upon the place, the leaders withdrew under cloud of night, and left their followers to Middleton's mercy, who next day took the castle, which he burned, shot twelve of the men who were deserters, and sent the remainder to Edinburgh castle.

Middleton takes and burns Kincardine house.

XXI. About the same time Montrose, who had found it impossible to induce Huntly to join him, persuaded the earls of Seaforth and Sutherland, with the lord Lovat, the chief of the Grants, the Mackintoshes, Monroes, and a number of the other clans, again to rally round him, and desirous of obtaining now some fortified place, undertook the siege of Inverness. At the first rumour of this new association, Middleton was ordered north, and the committees of the church and state launched the ecclesiastical and civil thunders against them. The warnings of the ministers were seconded by a proclamation, promising pardon and indemnity to all, except Seaforth, who should return to their duty; and both being read from all the pulpits, the chiefs began to withdraw privately, and those who were expected to join, sent excuses. Instead of an increasing force, the army the marquis had collected was dwindling so rapidly away, that he had resolved upon having recourse to the almost desperate expedient of using his extensive commission as captain-general, and endeavouring to recruit his ranks by compulsion; but anxious

Montrose besieges Inverness.

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Ordered by the king to lay down his arms.

He retires to the continent.

Proceedings of Huntly

Charles frees the Scots from blame in receiving him.

to reduce Inverness, he allowed himself to be surprised by his opponent, and was forced to raise the siege, and retreat with considerable loss. Still he meditated resistance, when he received his majesty's orders to lay down his arms, and Middleton, at the earnest request of Hamilton—now again received into favour—consented to treat with him. An indemnity was granted to himself and followers, which, notwithstanding all the outcry raised against the cruelties of the covenanters, was religiously observed; and the man who had merited the execration of his country, was allowed, although both excommunicated and forefaulted, to remain peaceably for nearly a month, in his own house at Montrose, and afterward to retire, without molestation, to the continent. Huntly, who had refused to act with Montrose, and who had he united his force to his, might, perhaps, have raised some serious obstacles to the peace of the north, made a useless attempt upon Aberdeen during the absence of Middleton, and took it by storm from the garrison that he had left; but upon the general's return from the south, he retreated along the north bank of the Dee, where his vassals, who had plundered that unfortunate city, deserted with their booty; and he himself retired unmolested to Strathbogie, where he received intelligence of the king's having gone to the Scottish camp, and ordered hostilities to cease.

XXII. Whatever might have been the private understanding of Charles and Montreville, his public message to the two houses of parliament, exculpates the Scots from any sinister engagement; for he expressly states, "That being certainly informed that the armies were marching so fast up to Oxford, as made that no fit place for treating, he did resolve to withdraw himself hither, only to secure his own person, and with no intention to continue this war any longer, or to make any division between his two kingdoms." Unfortunately for his majesty, and before the parliament had returned any answer, they received from Ireland the copy of a letter from him to the lord lieutenant—communicated by his grace to the Scottish general, Monroe—which he had written before he left Oxford, when he was busy intriguing with Montreville; and in which he informed him, "That having lately received very good security, that we, and all

that do and shall adhere to us, shall be safe in our persons, honours, and consciences, in the Scottish army; and that they shall really and effectually join with us, and with such as will come in unto us, and join with them for our preservation, and shall employ their armies and forces to assist as to the procuring of an happy and well grounded peace, for the good of us and our kingdoms, in the recovery of our just right: we have resolved to put ourselves to the hazard of passing into the Scots army, now lying before Newark; and if it shall please God that we come safe thither, we are resolved to use our best endeavour, with their assistance, and with the conjunction of the forces under the marquis of Montrose, and such of our well affected subjects of England as shall rise for us, to procure, if it may be, an honourable and speedy peace with those who have hitherto refused to give ear to any means tending thereunto; of which our resolution, we hold it necessary to give you this advertisement, as well to satisfy you and our council, and loyal subjects with you—to whom we will that you communicate these our letters—that failing in our earnest and sincere endeavours by treaty, to put an end to the miseries of these kingdoms, we esteemed ourself obliged to leave no probable expedient unattempted, to preserve our crown and friends from the usurpation and tyranny of those whose actions declare so manifestly their designs to overturn the laws and happily established government of this kingdom."*

His letter to Ormond inculpates them.

XXIII. Upon this paper being read in parliament, the Scottish commissioners resident in London, the day after, delivered an indignant denial of any knowledge of such a transaction having ever taken place. "Whether," say they, "any such letter was signed by the king at Oxford, or whether it was invented of purpose to support a declining party,

The Scottish commissioners repel the imputation.

* Laing says this letter "was intercepted and communicated by Monroe to the Irish parliament," vol. iii. p. 353, and quotes Rushworth. Now Rushworth tells us it was communicated by Ormond to Monroe—and he gives the letter which accompanied it—by whom it was communicated to the parliamentary commissioners, who brought it to parliament; which circumstance is noticed in the answer by the Scottish commissioners, Rush. vol. vi. p. 272. Indeed, one of the purposes of writing that letter was, that it should be shown privately in Ireland, to hasten the peace which Ormond was about concluding.

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we do not know. What may concern the king in it w leave to himself, who, as he hath since the date of that pape expressed contrary intentions and resolutions in his messag to both kingdoms, so he can best tell what he wrote at th time; we only speak to the matter of the paper, which com eth from the hand of secretary Nicholas, unto whose info mations what credit ought to be given, the houses very we know. It doth consist in our perfect knowledge, and w declare it with as much confidence as ever we did, or can a any thing, that the matter of the paper, so far as concerne any assurance or capitulation for joining of forces, or f combining against the houses of parliament, or any oth private or public agreement whatsoever, between the kin upon the one part, and the kingdom of Scotland, their army or any in their name, and having power from them, upon th other part, is a most damnable untruth." The army als deemed it necessary to vindicate their honour from any as persion, by publishing a declaration, expressive of their firm resolution to pursue the ends expressed in the solemn league and covenant, and that no earthly temptation of fear or hope should induce them to violate their sacred oath; disclaiming all dealings with the instruments in these un happy troubles, and with all who would not contribute their best counsels and advice for hasting an end to the pro tracted miseries of the country, and procuring a sure and well grounded peace; and utterly abjuring all conjunc tion with the detestable rebellion of James Graham, or his associates, or with any other enemies, or declared trai tors in either kingdom, notwithstanding of any insinuation to the contrary, expressed in some letters, as it is said, by hi majesty, to the earl of Ormond in Ireland.*

Declaration of the army.

* Baillie in his confidential letters to his brother-in law, where there could be no inducement to use any dissimulation, says, "The truth is, we never ha any dealing with him for coming to our army, and would never enter into term to make him any promise, farther than that we knew our duty, and would kee our covenant: and had it not been that he foresaw he was ready to be taken Oxford, and either to have been execute, which is the opinion of too man here, or to have been clapped up in perpetual prison, he had never come nea us." Letters, vol. ii. p. 212.—The only engagement which was ever produ ed as authorizing the charge against the Scots of having treated with the kin for his restoration by force of arms was, a paper signed by Montreville, in whic

XXIV. Notwithstanding all that the Scots had suffered, and all the ill faith, duplicity, and deceit, they had discovered in Charles, they still had a powerful attachment to their king; and, as they considered themselves bound by the covenant to preserve the royal authority, they would willingly have adventured their lives for his sacred person, would he only have consented to sign or acknowledge the obligation of the solemn bond. Their affection for their sovereign was expressed by their preachers, who, in those days, were the organs of the public opinion, as well as in some measure its directors; and their resolution to retain possession of the royal person—at least, not to yield him up on the mere vote of the English two houses—was not unaptly announced to the king, by the passage of scripture which was read before him soon after the arrival of the army at Newcastle. "And, behold, all the men of Israel came to the king, and said unto the king, Why have our brethren the men of Judah stolen thee away, and have brought the king and his household, and all David's men with him, over Jordan? And all the men of Judah answered the men of Israel, Because the king is near of kin to us: wherefore then be ye angry for this matter? have we eaten at all of the king's cost? or hath he given us any gift? And the men of Israel answered the men of Judah, and said, We have ten parts in the king, and we have also more right in David than ye: why then did ye despise us, that our advice should not be first had in bringing back our king? And the words of the men of Judah were fiercer than the words of the men of Israel." But Charles mistook their attachment, and the conscientious obedience which the covenanters professed to the office of a king, for their attachment and devotion to his person; and

Attachment of the covenanters to the king,

misunderstood by Charles.

he says, "I promise in the name of the king and queen, my master and mistress, and by virtue of the powers I have from their majesties, that if the king of Great Britain shall put himself into the Scottish army, he shall be there received as their natural sovereign, and shall be with them in all freedom of his conscience and his honour. And that the Scots shall employ their armies and forces to assist his majesty in the recovery of his just rights." But there does not exist the smallest proof that he was authorized to make any such promise on the part of the Scots, and he was recalled and disgraced for having used the name of the king and queen regent of France without authority.—Claremd. State Papers, p. 219.—Hist. vol. iii. p. 24.

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nothing could ever teach him, that while they regarded one as sacred, and a divine appointment, they could, by possibility, believe that the other was an accountable agent. The presbyterians avowed and defended, both as a political and religious duty, removing and punishing princes who were unmindful of the obligations imposed upon them by the word of God and the law of the land; and although they admitted the hereditary right of a family to the throne, they contended, that misconduct was as justifiable a ground for setting aside any member of the family, as idiotism or confirmed fatuity.* But the most excellent among them would have been willing that the question had been allowed to sleep, if the king himself had not constantly incited the people to agitate it by his practical exercise, and speculative defence of despotism. On an occasion of this last kind, one of the most sincere patriots and loyal subjects Scotland ever produced—Mr. Henderson—remarked to him:—"While Archimedes was drawing his figures and circlings in the sand at Syracuse, Marcellus interrupted his demonstrations. Sire, were I worthy to give advice to your majesty, or to the kings and supreme powers on earth, my humble opinion would be, that they should draw the minds, tongues, and pens of the learned to dispute about other matters than the power or prerogative of kings and princes; and in this kind, your majesty hath suffered and lost more than will be easily restored to yourself or your posterity for a long time:" but the advice was lost, as were every other, on the self-willed prince.

Henderson's advice to him.

Scots insist on his abolishing episcopacy.

XXV. It was never concealed from the king, that it was useless to expect any assistance or co-operation from the Scots, unless he consented to the abolition of episcopacy. For them alone to attempt a restoration was impossible at any rate; but to adventure it without some pledge, that all they had been fighting for would not be laid at the foot of the throne if they proved victorious, would have been worse than madness—this pledge was the covenant: if he gave it, the presbyterians in England would have joined with them, the city would have co-operated, and a majority of parlia-

* Rutherford's Lex Rex.

ent would have been gained; but without some satisfac- on in the matter of religion, they would incur the guilt of ovenant-breakers, the united hatred of both nations, and ould be unable to effect any thing but their own dis- race. Charles pleaded his conscience: episcopacy had een established in England since the reformation, and he vas bound to uphold it by his coronation oath; but he pro- essed his willingness to be convinced, and if they could on- ly satisfy his mind upon two points, he declared he should neither be ashamed to acknowledge his error, or alter his resolution. The first was:—that episcopacy was not of di- vine institution; and the other, that his coronation oath did not bind him to support and defend the church of England, as it was then established. The presbyterians remarked, that it was rather astonishing that his majesty should feel so many scruples respecting that part of his coronation oath which relates to the church, when, for fifteen years toge- ther, he had, without remorse, trampled under foot all that regarded the civil liberties of his subjects; but, although they gave him no credit for his tenderness of conscience, which they believed to be entirely affected, to gain time,* yet they paid that respect to his pretensions which was due to his rank and to their importance, had they been sin-

His objections—but professes his willingness to be convinced.

Answer of the Scots.

* The following passages will show the opinion entertained by the Scottish presbyterians, and, indeed, the universal opinion, of the king's scruples: "Though he should swear it, no man will believe it, that he sticks upon episcopacy for any conscience;" now this is the language of one of his friends, who, in the same letter says, "the great love and reverence I ever carried to the king's person, makes me fear much." In a letter to Mr. Henderson, who appears to have entertained a similar opinion, he says, "Your debates upon episcopacy I never took to be conscientious, but politic, and a pretence to gain time. I hear France has, or will loose that scruple, very easily. Will such base hypocrisy be blessed?"—Baillie, vol. ii. pp. 209, 219. But his own letter afterwards, explains the nature of his conscience: "whereas, I mentioned, that the church government should be left to my conscience, and this is my opinion, I shall be content to restrict it to some few dioceses, as Oxford, Manchester, Bristol, Bath and Wells, and Exeter, leaving all the rest of England fully to the presbyterian government, with the strictest clauses you shall think upon, against papists and independents." Had he been really conscientious about episcopacy, the same principle which would not admit of its position at Oxford or Bath, would never have consented to its being put down in London and Windsor. Rush. vol. vi. p. 328. Burnet's Mem. 287.

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cere. They appointed Mr. Henderson, his own chapla for whom he professed to entertain great respect, to en into a conference with him, and try to remove his dou The controversy continued from May to the end of J and was managed in writing: the papers are eight in nu ber, five by the king, and three by Mr. Henderson. T king contended for the divine right of diocesan episco cy; the uninterrupted succession of bishops rightly ordai ed from the time of the apostles, upon which the whole v lidity of the administration of the Christian sacraments d pends; the necessity of a judge of controversies, which asserted was to be found in the writings of the fathers of t primitive church, whose authority alone is imperative in th question; and alleged that no reformation could be lawfu which did not originate with the prince, as was the ca in England. Mr. Henderson, though labouring under t pressure of mortal disease, displayed great acuteness in h answers, which were, though firm, respectful. The impe fection of the English reformation, he remarked, had be the complaint of many of the most judicious and godly pe sons. It was defective in the essentials of worship and g vernment; the supremacy was only transferred from on wrong head to another, while the limbs of the antichristia hierarchy were visible in the body; that episcopacy canno make out its claim to apostolic appointment, for when th apostles were living, there was then no difference between bishop and a presbyter, no inequality in power or degree but an exact parity in every branch of their character; nei ther is there mention made in scripture, of a pastor or bisho superior to other pastors. And he requested his majesty t observe, that arguing from the practices of the primitiv church, and the consent of fathers, is fallacious and uncer tain; but that the law and testimony of the word of God i the only rule. To disengage his majesty from his corona tion oath, as far as relates to the church, he conceives, tha when the reason of an oath ceases, the obligation is dis charged;—thus, when the parliaments of both kingdom have agreed upon repealing a law, the king's conscience not tied up against signing a bill; for then altering any la would be impracticable.

His controversy with Mr. Henderson.

XXVI. Were it ascertained, that the king's papers were the unaided productions of his majesty, they would be by no means discreditable to his polemical abilities; but the ridiculous praises which have been bestowed upon them, by the blind admirers of whatever flows from a royal pen, have caused them to be depreciated below their real merit. Few readers, I believe, would travel through them from choice, and I question much, whether ever their warmest admirers went over them twice. Remarks.

XXVII. Henderson's declining health was much injured by the dismal prospect which the king's obduracy held out for the peace of the church, and the country he loved; he and his colleagues wept in secret, over that wilfulness which was productive of so much misery to the monarch himself, as well as to his subjects. One of them in a consolatory letter tells him, "your sickness has much grieved my heart. It is a part of my prayers to God, to restore your health and continue your service, at so necessary a time; we never had so much need of you as now. The king's madness has confounded us all. We know well the weight lies on your heart; I fear this be the fountain of your disease; yet I am sure, if you would take courage, and digest what cannot be got amended, and if after the shaking off melancholious thoughts, the Lord might be pleased to strengthen you at this time, you would much more promote the honour of God, the welfare of Scotland and England, and the comfort of many thousands, than you can do by weakening your body and mind, by such thoughts as are improfitable;" but he was hastening to that land where the weary are at rest. Feeling his distemper increase, he returned to Scotland by sea, and arrived at Edinburgh, August 11th, sick and exhausted, yet serene and composed: he expired peacefully on the 19th. He was the most influential man, both in church and state, in his day; and so long as he regulated the proceedings of the presbyterians, they were conducted with prudence and success; while he maintained the principles, he moderated the passions of his party, particularly of Lauderdale, to whose fiery and unholy zeal, are to be attributed the most reprehensible measures of the covenanters. He was learned and pious, possessed a sound judgment, and a noble intrepidity Henderson's health declines. His death

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of mind, with a suavity of manners, which enabled him to lead men of the most discordant dispositions, and retain the esteem, without forfeiting his integrity. He had been originally educated for the episcopal church, but after studying the subject, he left it from principle, and chose rather a humble parish—Leuchars in Fife—than its highest dignities, which he might have aspired. As a public speaker, he was eloquent, judicious, and popular. "Whenever he preached," says Granger, "it was to crowded audiences; and when he pleaded or argued, he was regarded with mute attention. His friends and opponents vied with each other in expressing the high respect in which he was held; the former, by their unfeigned regret for his loss; the latter, by claiming him as a deathbed convert to their opinions. A forged recantation was published in his name, but immediately detected, by a committee of the general assembly."*

XXVIII. When Charles went to the Scottish camp, he declared, by that action, the war at an end, from his inability to carry it on; and it followed as a matter of course, that the garrisons should be delivered up, and the armies disbanded. But the conditions of peace remained to be settled; and a monarch who had surrendered at discretion, only because he had no more power to contend, restoration to his throne upon any terms, was generosity on the part of the conquerors. His majesty, however, did not think so; and though beaten out of the open field, he still entertained an idea that they ought to treat with him as a king, as a vicegerent of the divinity, who was above all earthly control; their superior to whose conscience the whole nation should bow, although providence had decided against him in his appeal to arms. The English parliament were of a different opinion; and while he was debating the point of conscience with Mr Henderson, they were arranging with the Scottish commis-

High notions of the king.

* Laing, who delights in sneering at what he evidently did not understand and chose rather to write nonsense, than to omit any opportunity of exhibiting his contempt for that religious profession, which was the most distinguishing characteristic of the age, and which he should have studied before he ridiculed, thus concludes his character of that eminent divine: "Moderate when compared with his fanatical brethren, and eloquent above their allotted measures of divine inspiration." Hist. of Scot. vol. iii. p. 360.—*Query*—What were the allotted measures of divine inspiration?

sioners the propositions to which his unreserved assent was to be required.

XXIX. At this time it seems to have been a very general subject of popular discussion, what treatment the king should receive, and whether the form of monarchy should be retained, or a republic established. The Scots and the presbyterians clung round the throne, particularly the Scots, whose aristocracy and ministry, while they wished to curb the power, were anxious to retain the form of the monarchy; because it formed an essential point of union in the solemn engagements of the two nations, and what secured the alliance with England, of the benefits of which they were fully aware. The independents* appear to have speculated about the propriety of abolishing royalty, and making an example of the king, whose obstinacy they deemed remediless, and his policy bloody, false, and hypocritical;† but the parties were so equally balanced at this period, that both were anxious to obtain the sanction of the royal name, and both used the language of terror, to endeavour to sway him to their purpose; but he saw their anxiety, and it confirmed him in his obstinacy, as he believed at any time he could make as good terms as he now had offered, whenever he chose to accept of them. He hated both parties, and he rejected what his friends saw was clearly his interest, in the expectation of some providential change.

Speculations of the parties.

XXX. A majority of the best men on both sides languished for peace, although a few of the partisans endeavoured to render the terms such as would prevent accommodation; but the Scottish commissioners came to an agreement with the English, and the marquis of Argyle announced this to the grand committee, in a speech—June 25th—which, considering the state of the times, afforded a fair opening for concord, even upon the most difficult of all the subjects of dispute. "In our way we must beware of some rocks, which

English and Scots agree to offer terms.

* The term independents here is used because it is the term generally applied by historians to the party who opposed the high episcopalians and the rigid presbyterians; but the term is improper, for the independents were comparatively few. All the sectaries, and the greater part of the moderate friends of both episcopacy and presbytery, and all who cared little about any sect in religion, but wished only for civil liberty, ranged under this generic.

† Baillie's Letters, vol. ii. p. 219.

are temptations, both upon the right and left hand, so t
we must hold the middle path; upon the one hand,
would take heed not to settle lawless liberty in religi
whereby, instead of uniformity, we should set up a thous
heresies and schisms, which is directly contrary to, and d
structive to our covenant; upon the other part, we are
look, that we persecute not piety and peaceable men, w
cannot, through scruple of conscience, come up in all thi
to the common rule;" and the commissioners in their co
sent, show a liberality, which, had it been met by a fra
and ready compliance on the part of his majesty, might ha
been still farther extended: "Although—which is to
more than all the rest—the ordinances of parliament, u
which the fifth and sixth propositions do relate, do not co
tain the establishment of such a reformation of religion a
uniformity as was expected, and was the chief end of our e
gagement in this war; yet, as it could not be expected tha
perfect rule should be settled all at once, so as to need neith
supplements, additions, nor perhaps alterations, they resol
to make no let, but to give way." The propositions whi
were now offered the king were not materially different fr
those offered at Uxbridge, except in the article of the m
tia, which was now required to be vested in the parliament
both countries, respectively, for twenty years. With re
to religion, it was required that his majesty should swea
solemn league and covenant, and give his consent to a
of parliament, enjoining the taking of it throughou
three kingdoms—that a bill should be passed for the
abolishing all archbishops, bishops, their chancellors,
missaries, deans, sub-deans, deans and chapters, ar
cons, canons and prebendaries, and all chaunters, c
lors, treasurers, sub-treasurers, sacrists, and all vic
choristers, old vicars and new vicars, of any c
or collegiate church; and all other under offices
the church of England, as shall agree with the
of the late treaty of Edinburgh, November 29t
and the joint declaration of both kingdoms—the
dinance for the calling and sitting of the assem
vines, be confirmed—that reformation of religion,
to the covenant, be settled by act of parliamer

Their propositions.

manner as both houses have agreed, or shall agree, after consultation with the assembly of divines—and that, forasmuch as both kingdoms are obliged, by covenant, to endeavour such an uniformity in religion, as shall be agreed upon by both houses of parliament, in England, and by the church and kingdom of Scotland, after consultation had with the divines of both kingdoms assembled; that this be confirmed, by acts of parliament of both kingdoms, respectively, with several other minor articles.* These were ordered to be presented to his majesty by the commissioners of parliament of England, and the commissioners of Scotland, and a peremptory answer demanded in ten days; a demand rendered necessary, by the inclination to procrastinate which the king already had displayed, and which he still seemed willing to indulge.

Estates, send to compliment him, and to watch his conduct.

XXXI. As soon as it was known in Edinburgh that the king had come to the Scottish army, the committee of estates sent the earl of Lanark, who acted with the covenanters, and some others of their number, to express their sentiments of respect for his person, and their expectations that he would satisfy the just desires of his subjects. Argyle, Balmerino, and Crawford Lindsay, followed,† to prevent the king's tampering with David Leslie, and to urge his compliance with the wishes of his people. To them the king complained of being treated in a different manner, from what had been stipulated with Montreville; that his subjects were refused free access to him, and that his conscience was hurt, by being pressed on the subject of the covenant. Montreville affirmed he had such an agreement in French, but when called upon to produce it, the ambassador shuffled, and there was no more heard of the business; and Argyle proceeded to London, to act in conjunction with the commissioners there, and try to obtain a mitigation of the articles to be proposed to the king. All were acquainted with the king's practices, and while he thought he was out-manœuvring every other person, he was alone the dupe of his own finesse. Urged on every hand, to close with the presbyte-

He complains of his treatment.

* I have given the very words of the propositions, because the king agreed to them in private, although not officially.—Vide Rushworth.

† Guthrie's Mem. p. 220. Burnet's Mem. p. 271.

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1646. Waves a settlement with the presbyterians.

rians, who would have mitigated the rigour of the conditions when the times became more settled, he wasted the most precious of his opportunities in trifling disputations which his enemies represented were mere subterfuges, to cover his more dangerous intentions of bringing over a foreign force from France; whence, it was generally believed he received the instructions for his conduct.

English commissioners arrive.

XXXII. At last, on July the 23d, the commissioners from parliament arrived at Newcastle with the propositions, and were informed that his majesty would receive them next day, in the afternoon. Accordingly, about two o'clock, they went in state to court, accompanied by the marquis of Argyle, and earl of Loudon. They were introduced to the king, who stood at the end of a table in the presence chamber, and had the honour of kissing his hand; after which they withdrew to an inner room, where the earl of Pembroke acquainted his majesty that they had brought propositions from parliament, and were humbly to desire his answer. Before allowing them to be read, the king put the same question that he had put to the commissioners on a former occasion—if they had any power to treat? And being answered in the negative, made the same courteous reply that he did to them, "Then, saving the honour of the business, an honest trumpeter might have done as much." When they were done reading, the king, who had hearkened attentively, said, "Gentlemen, I hope, you do not expect a very speedy answer, because the business is of very high concernment." The earl of Pembroke, informed him, they were limited to ten days, beyond which they could not remain in that town; his majesty replied, that he would despatch them in convenient time, and dismissed them. The commissioners during their stay urged the king, by every argument in their power, to agree to the propositions. Lord Leven, at the head of an hundred officers, on their knees besought him to give satisfaction in the point of religion, and subscribe the covenant; and the council and committee of the church and state of Scotland reiterated their requests to the same purpose, entreating his majesty, by his love for his people, by his desire to avoid shedding innocent blood, and by the interest of himself and his family, to comply. The earl of

The propositions presented to the king.

Lord Leven and officers beseech him to accept them.

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Lord Loudon's address to him.

Loudon on one of these occasions, with a faithfulness and freedom well suited to the exigency of the case, thus addressed him:—"Your majesty was pleased, on Monday last, to call the lords of your council of Scotland, and committee, to acquaint them with the propositions; and told them, before you would deliver your answer, you would make the same known to them. The time assigned to the commissioners' stay is so short, and the consequences of your majesty's answer of so great importance, either for the preservation or ruin of your crown and kingdoms, as we could not be answerable to God, nor to that trust reposed in us, unless we represent to your majesty how necessary it is that you should assent to the propositions, as the condition of your affairs now stand in so great extremity, and that the danger and loss of your refusal will be remediless, and bring on a sudden ruin and destruction. The differences betwixt your majesty and your parliament are grown to such an height, that after many bloody battles, they have your majesty, with all your forts, garrisons, and strongholds, in their hands; your revenue, and the authority to raise all the men and money in the kingdom, are in their possession; and, after so many victories, with such a powerful army at their command, they are now in capacity to do what they will, both in church and state; while many, through fear, and others through disinclination to your majesty's government, desire neither you nor any of your race longer to reign over them. But the people, although wearied of the war, and of the great burdens that they groan under, are so loath to have monarchical government destroyed, that they dare not attempt to cast it totally off, till they have tryed the effect of proposals for peace with your majesty, to satisfy their minds; yet, after so cruel a civil war, and such protracted confusion, they require security from revenge and arbitrary power. They, therefore, resolved upon the propositions which are now tendered to your majesty, as those without which the kingdom and your people cannot be in safety, and without which there can be no firm peace. Your majesty's friends in the houses, and the commissioners from Scotland, after a strong contest, were forced to consent either to allow these terms to be offered, or to be considered

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as enemies to peace; and had not these conditions been se no others would have been proposed. And now, if yo majesty—which God forbid—shall refuse to assent to t propositions, you will lose every friend in the houses, lo the city, the country, and all England will join against y as one man. They will bring you to trial, depose you, a set up another government; they will charge us to deliv your majesty to them, to surrender their garrisons, and to r move our armies. Upon your majesty's refusal of the pr positions, both kingdoms will be constrained for their mutu safety, to agree and settle religion and peace without yo which, if your majesty refuse our faithful advice, who desi nothing on earth more than the preservation of your maje ty's royal throne, you will bring inexpressible grief, occasio your own ruin, and that of your posterity. For if you lo England by your wilfulness, you will not be permitted to com and reign in Scotland.

"Sir, we have had our hands upon our hearts, we ha asked counsel and direction from God, and have had o most serious thoughts upon a remedy, but can find no oth to save your crown and kingdom than your assenting to t propositions. We must acknowledge they are higher i some things than we approved of; but when we see n other means for curing the distempers of the kingdoms, and closing the breach between your majesty and your parlia ment, our most humble and safe advice is, that your ma jesty will be graciously pleased to assent to them, as the on ly way to establish your throne. You will thus be again received into your parliament with joy and acclamation; your friends will be strengthened by your royal presence, and your enemies, who fear nothing so much as your acced ing to the propositions, be weakened. You will hereafter have a fair opportunity of offering such modifications as you and your parliament shall think proper for your crown and kingdom; the armies will be disbanded, and your people, finding the fruit of a peaceable government, you will gain their hearts and affections, your true strength and glory, and recover all that you have lost in this time of tempest and of trouble. If it please God to incline your royal heart to this advice of your humble and faithful servants, who, next to

the honour and service of God, esteem nothing more precious than the safety of your person and crown, our actions shall make it appear, that we esteem no hazard too great for your majesty's safety, and that we are willing to sacrifice our lives and fortunes, for establishing your throne and just right."

The king refuses to accede to the propositions.

XXXIII. All representations were of no effect; the king laughed at the idea of being brought to trial, his only fear was being shorn of his majesty and power, the grand palladium of which he considered the hierarchy to be—his utmost concessions on this point were, to allow the trial of presbyterianism for three years, and that not universally. His humours were unfortunately flattered by the intriguers, who solicited him incessantly for honours, places, and promises, and counteracted the advice and entreaties of his best and wisest friends; even the queen and episcopalian nobles themselves were of opinion, that Charles should have yielded to the necessity of the times, and accepted the offers of the presbyterians.* But he would not relinquish the infatuated project of pitting the parties against each other; and, therefore, instead of a frank and full concession in his answer, which was written in a very unconciliating strain, he proposed to come to London upon the public faith of the two houses, and the Scottish commissioners, to enter into a personal negotiation; and assures them, "that as he can never condescend unto what is absolutely destructive to that just power, which, by the laws of God and the land, he is born unto, so he will cheerfully grant and give his assent unto all such bills at the desire of his two houses, or reasonable demands for Scotland, which shall be really for the good and the peace of his people." This answer, which the commons considered as a refusal of their demands, was received with grief and amazement by all the king's friends. The sectaries, who had dreaded his compliance, and in the presbyterian ascendency saw their own ruin, could not restrain their satisfaction on the occasion; and when the thanks of the commons were voted to the commissioners, a number remarked that more thanks were due to the king. "What

To the amazement of his friends, and joy of the sectaries.

* Baillie, vol. ii. p. 225. Clarendon, vol. iii. p. 27. Rushworth, vol. vi. p. 329.

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will become of us," said a presbyterian representativ
his majesty refuses the propositions;" "nay, wh
have become of *us*," replied an independent, "i
granted them."

xxxiv. In the temper in which the parliament
the reception of the king's message, it required some
ment to prevent their immediately proceeding to
throne vacant, and appointing a day for the prince
to the terms his father had refused. The Scottish
sioners, who apprehended some violent measure, as
they heard of the king's refusal, anxious to preven
revocable step from being taken, prepared to anticip
they knew would be the first demands of the Eng
liament—the retreat of their army, and the surrend
towns they held south of the Tweed. They had
proposition before the commissioners returned, wh
presented at the moment they—the commissioners—
their report; declaring their willingness to disb
army, and deliver up the garrisons, upon receiving
tion for the arrears that were due. "The same p
of brotherly affection," they observed, "which ha
induced both kingdoms to unite their councils and
the same cause, induced them to adopt the most
methods which might tend to bring their troubles to
termination and amicable footing, and to prevent
understanding in these matters, to which their comm
mies looked forward with joy, as occasions of di
and now, that the forces of the common enemy wer
and subdued, and a foundation laid, and some good
made in the reformation of religion, which they tru
honourable houses would perfect according to the c
with sincerity—they, therefore, to make manifest to
sciences of their brethren, and to the world, how fa
was from the thoughts and intents of the kingdom
land to make use of their army for any other purp
how much they desire the perpetuating of peace an
between the two kingdoms, declared their willingne
call and disband their army, and also, to enter i
measures for the peace and safety of the kingdoms,
relation to his majesty, and of each kingdom to eacl

Proposals of the Scots respecting their arrears and withdrawing their army.

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Their friends in the parliament seconded their proposals; and a majority of the houses being anxious to get rid of the Scottish army, their proposition was immediately taken into consideration by the commons previously to the king's answer, which the presbyterians were in hopes he might be still induced to alter.* Seconded in parliament.

XXXV. There were besides, other strong reasons on each side, for settling the arrears of the Scottish army without delay. Previously to the siege of Newark, the complaints against this army had been a source of great uneasiness to the Scottish commissioners, as the irregularity of their pay had forced them to use measures to provide for their subsistence, which rendered them unpopular in the country; and the Scottish parliament, in the beginning of the year, had sent instructions for them to get their accounts settled as soon as possible, and expressed their desire that they should return home the moment a peace was obtained; their remaining, therefore, now that war had ceased, could only have tended to increase the popular dissatisfaction, and have given occasion to their enemies to excite stronger unkindly feelings towards them; they were likewise required in Scotland to put an end to the remains of the disturbances in that kingdom, where the Irish lingered in the west, and the north was still far from being in a settled state; while their remaining in England would have been watched by the English army, superior in numbers, and now wholly unemployed, which, in such circumstances, must inevitably have led to collision. The patriots of England wished for their retreat, as their presence was the only pretext for keeping up so large an army in the country; and those who had been dissatisfied at the new model, or were envious of the honours of the victorious leaders, and wished their reduction to the humbler walks of ordinary life, together with all who plotted for the king's unlimited restoration, united in desiring that the Scottish army should be sent home. Strongly desired by all parties.

XXXVI. A vote of the commons for one hundred thousand pounds, to be paid to the Scottish army on their advance

* Acts of the Scottish Parliament, An. 1646 7, vol. vi.

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Thanks voted to the Scots for their proposal.

northward, with another expressive of their thank affection and zeal, in offering so readily to del garrisons and depart the kingdom, and a third, their accounts of arrears to be audited, were proc course of a few days; but the examining and s amount of their demand was a work of greater tim culty. The whole sum claimed was about two which the Scots acknowledged the receipt of seve thousand; the English account of the monies, qu charges disbursed by them, was fourteen hundred The difference between the two statements consis visions to a large amount which the English char the greater part of which the Scottish asserted to them, being taken by the enemy at sea, pa part damaged. The English charged in full a le ty thousand pounds per month, which the Scots c yielded half the sum: the English charged ammu arms furnished; the Scots contended these should supplied at the English expense, as they were use service: the English charged twenty thousand pou positions with delinquents at Newcastle; the Scots this only as a compensation for their having save from plunder: the English charged monies raised o at the rate of ten shillings per chalder upwards of o thousand pounds; from this the Scots required sand to be deducted, as the coals, during the g they drew the cash, were sold for only five shi English, at the same time, made a merit of not ch household stuff, sheep, horse, and other articles, alleged had been taken from the people to a larg the Scots, in return, affirmed that the greatest p damage had been done by many of the English t pretending to be Scots, and plundering without they had taken greater care to suppress any diso army in England, than ever they did while it re home; and so strict had they been, that some ha to death for pilfering, even to the amount of tw Every item in the account was minutely exan warmly debated in a manner very different from

Discussions respecting the arrears.

have taken place, had the transaction been a collusive bargain for the purchase of the king.*

XXXVII. Tired out, at length, by discussions, in which they do not appear to have been equal to their debtors, the Scots offered to accept of a gross sum in full of their arrears; and a committee was named to receive their demand, to settle how much they would require in advance, and by what instalments the remainder should be paid. They claimed five hundred thousand pounds—which was allowing nearly all the deductions of England, and halving the difference—three hundred thousand to be paid on the movement of the army, and the other two hundred thousand at the end of twelve months; but in consideration of the present distress, they said they would be content with the least proportion that would supply the necessities, and give satisfaction to their army; and therefore, would agree to accept of two hundred thousand pounds at their advance out of the kingdom, and the other three hundred thousand, at the end of twelve months. Continued.

XXXVIII. The report of the committee gave rise to a violent debate, which continued a whole day; when the house resolved, that the sum of two hundred thousand pounds should be advanced for the Scottish army, according to the desire of the Scottish commissioners; one hundred thousand pounds to be paid when they commenced their march, the other hundred thousand to be paid by fifty thousand at a time, within nine months; and, to ascertain the periods more accurately, the first payment should be made on the eighteenth of September, and security granted for payment of the rest, in all, not to exceed three hundred thousand pounds. The subject was, however, resumed upon a representation from the Scottish commissioners, when they required the sum of four hundred thousand pounds in whole, but earnestly pressed, that two hundred thousand should be paid them in Newcastle, before their retreat into their own kingdom, and the other two hundred thousand at convenient terms. This occasioned another long debate, when the four hundred thou-

* Had every subsidy England has been called upon to pay since, undergone as severe a scrutiny, what sweeping deductions would have amazed the contractors.

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1646. Finally settled.

sand was allowed, but the periods as formerly; one hundr thousand to be paid in advance, another in three, and ni months, another in twelve, and the last in fifteen mont The Scots, however, insisted upon the two hundred tho sand being paid in advance; and after another lengthen discussion, it was agreed that they should have it, if as mu could be raised; and, for that purpose, required that a co mon council should be called in London, and a committ appointed to go thither and treat with and desire the ci zens to advance the sum. The common council propos to advance the sum if required, bearing eight per cent. i terest, upon security of the grand excise, and the sale bishops' lands; the presbyterians in the city, being anxio to have the business brought to a conclusion, expecting th with the dismissal of the Scottish, a motion would have be brought forward for the reduction of the sectarian army.

xxxix. During the protracted negotiations about the pa ment of the Scottish forces, the Scots were incessant in the endeavours to induce the king to give satisfaction respe ing the covenant. Addresses were presented from t commissioners of the church, the committee of estates, and army. Hamilton, who having been released from Mount Michael, when that fortress was taken by the parliamen forces, had repaired to the king at Newcastle, and was a received into favour, joined in entreating his majest yield, but his arguments were as unavailing as the ot and while Argyle, Loudon, and Dunfermline, were intr with a secret commission, to try and procure from th liament a delay in their resolutions respecting his a or a personal treaty if possible, his grace was sent t land to endeavour to persuade the committee of es accept the king's concessions; and it is somewhat cu observe, that the argument he made use of to induc violate their own oaths and consciences, was, that it inhuman and unchristian to force the king to vi With them, the duke was equally unsuccessful as king; the message he was desired to carry back t jesty, along with the earls of Crawford and Cass press him, ere it was too late, to yield to the p Charles still insisted upon his own conscience

The king urged by Hamilton,

the episcopalians being preserved; but, in return, he was willing to give every assistance to destroy and fetter the consciences of the independents. "What I demand," said he, "is most likely to be but temporary; for if it be so clear, as you believe, that episcopacy is unlawful, I doubt not but God will so enlighten my eyes, that I will soon perceive it, and then I promise you to concur with you fully in matters of religion. But I am sure you cannot imagine, that there is any *hope* of converting or silencing the *independent* party, which undoubtedly will get a toleration in religion from the parliament of England, unless you join with me, and in that way I have set down for the establishing of my crown." Although, however, he would not yield frankly and comply, he, at the same time, protested against being understood as giving them a negative—he insisted on a personal treaty. "He only desired," he said, "to be heard, for he was confident, that upon debate, he would be able to satisfy them in some things."

1646. And by a deputation from the estates to accept the propositions.

He insists on a personal treaty.

XL. Hamilton urged every topic he could devise, to prevail with the king to satisfy Scotland with regard to religion, assuring him, that he found them extremely willing to serve him in every thing else, if he would only be persuaded to yield to them that one point. "They would study to bring the militia to what he desired, and with regard to the delinquents, they would try to get the proceedings against them concluded in the same way that the business against the incendiaries in Scotland had been managed, that they would be only secluded from places of trust; but he assured him, that he found it impossible to make them abate a tittle in their demand about religion." It was to no purpose; the king continued deaf to all argument, because he thought the parties could not do without him; and Hamilton, whose better judgment foresaw a different result, determined to withdraw from public life, a resolution he was unfortunately afterward induced to alter.

Hamilton still presses him.

He continues obstinate.

XLI. While Charles remained immovable, his affairs were fast hastening to a crisis. The amount of the arrears being adjusted, and the departure of the Scottish army out of England fixed, the disposal of his person came next to be considered. It was a question for which there was no precedent, there was no authority in the records or disquisitions

Question respecting the disposal of the king's person.

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of civil or international law by which to decide it; it w
therefore, to be determined by the peculiar circumstances
the case, and must now be judged of by the same criteria.

XLII. If there be any infamy in the transaction, it belon
to the English—inasmuch as they are more infamous w
take advantage of a man's necessities, to constrain him to
a base action, than he who laments it, and yet is forced
comply—they had the power to enforce their demands; t
Scots, without absolute ruin, could not come to extremitie
the English knew this, and they had not the generosity
supply the wants of their allies, till they constrained the
to submit to the enormous and unjustifiable deductio
on their account. They knew that the Scots had not t
means of retaining the king, without destruction to the
selves; and calculating upon this, they assumed the righ
because they had the power of claiming the disposal of t
king's person. Whitelock, the inveterate enemy of t
Scots, obliquely acknowledges as much, when he tells
"the houses now saw the advantage of keeping up their
my, as that which the more inclined the Scots to come
their offer." It was the ungenerous principle of superio
in wealth and men, upon which the English acted throu
out, which led *them* to make a traffic—if there were
traffic—of the king's person; though, like successful rog
they have been the first to cast the stigma on their less
tunate associates. The Scots made every effort they
capable of for preserving the king, and when they c
keep him no longer, they obtained for him the best c
tions they could—a freedom and an honourable treat
which he most ungratefully made use of to involve
again in war and confusion; and to attain his own
purposes, did not hesitate to call for the sacrifice of t
blood of the country. I think it clear as noonday,
the whole transaction, the Scots behaved with a r
generosity, to a worthless family, who ill requited t
tachment; with a steadiness of principle to their enga
which the English parliament did not emulate; an
fidelity and truth which places them, in this transa
ly party who could righteously claim the praise
d integrity and unimpeachable honour. But, in

Observations.

was nothing base in the business: the king had rendered it unsafe to allow him to be at unrestrained liberty—he had forfeited every title to this; and, however couched in respectful terms, the question was, where could he be kept with the greatest security to the state? he was already a prisoner in the Scottish camp, had he gone to Scotland he must have been a prisoner; when he went to England, he was only a prisoner, and the real crimes for which he was brought to the block, were perpetrated after he was *de facto* dethroned, or rather, had dethroned himself.*

XLIII. September 18th, the house of commons took into consideration, how his majesty's person should be disposed of, and voted, 1st, That whatsoever consultation and debate the Scots commissioners should have concerning his majesty's person, the same should not any ways impede the march of the Scottish armies out of the kingdom, nor violate or trench upon the treaties between both nations. 2d, That his majesty should be disposed of as both houses of the parliament of England should think fit. And afterwards ordered these votes to be communicated to the Scots commissioners. The Scottish commissioners were [illegible] assumption of the English commons, and [illegible] it by their claim of a joint right in disposing of his majesty's person; in consequence, a committee of [illegible] pointed to treat with them upon the [illegible] conferences, they firmly asserted that right. [illegible] they remarked, "were bound, [illegible] the solemn league and covenant, [illegible] heaven, between God and man, and [illegible] tion. Its obligation was [illegible] ligion,† allegiance to the same king, [illegible]

* There may have been private treaties [illegible] tish army, and with individuals of the [illegible] ble; these I do not mean to defend. [illegible] able, fair, and open. It was the discovery of was the cause of his fears.

† The following explanation of the [illegible] footed, was given to enforce uniformity [illegible] ligion, and beware of [illegible]

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a conjunction between the two nations in their councils and acts; they, therefore, protested, that in all their discussions, it should not be understood that one of the kingdoms was imposing conditions upon the other, but that they were consulting what was fitted to be done for the peace and security of both; and, as both were engaged in the same cause, were labouring under the same danger, and seeking the same remedies, therefore, they contended, that the disposing of the king's person did not properly belong to any one of the kingdoms, but justly to both; nor did they expect, that the honourable houses would think it agreeable with conscience, honour, or justice, that the person of the king should be disposed of by them, or by any one of the kingdoms alone;—by disposing, they explained that neither deposition or imprisonment was meant—but whether his majesty should be allowed to go to Scotland, or to return to London, or some of his royal residences near it." "They also frankly disclaimed the intention of conducting him to Scotland, as full of danger and inconvenience to both kingdoms. The bloody barbarous Irish, banded with a wicked crew of malignants, possessed the mountains and highlands, the strongholds, and never conquered parts of the kingdom, where they kept in a body together, and were so near Ireland, that the rebels there, in two or three hours might come over and join them; and were the king to go thither, he might, from the incapacity of Scotland to keep large armies long together, have an opportunity of raising among these banditti, a force which might enable him again to advance into England, and involve the countries in renewed confusion and bloodshed. They therefore urged, that as the king had not absolutely refused the propositions, but proposed himself to come to London or any of his houses, in order to a personal conference, and as the danger in England had ceased, from his having no army in the field, and no stronghold or garrison, to fly to, that his offer should be accepted, and an effort made to procure a safe, lasting, and honourable peace, according to the covenant."[m]

Arguments of the Scots.

[m] none; for there is nothing more divine in God than unity, and nothing more diabolical in the devil than division; who, therefore, is known to the vulgar, by his cloven-foot, to be the spirit of division."

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Answer of the English.

XLIV. To this reasoning the English committee made no answer, except reiterating the demands of the parliament; and insisting, that the king being within England, and the parliament having complete control over every person in England, they alone had a right over him; and that, although he was with the Scottish army, yet that army being paid by England, was, while in England, to be considered as much the English army, as the one under the command of sir Thomas Fairfax. The others replied, that neither the king's present residence in England, nor any localities, could take away the reality of their former relations, far less dissolve the engagements and stipulations between the kingdoms; for though the Scottish army was paid by the parliament of England, yet they were the army of Scotland, raised in pursuance of the ends of the covenant, and to be ordered by the parliaments or committees of both kingdoms: that therefore, they could not, in conscience, duty, nor honour, deliver the person of the king without his own consent, to be disposed of as the two houses should think fit; for this reason, they had proposed that his majesty should be allowed to come to, or near London, as the most probable means of procuring a well grounded peace. But if the houses would not agree to that, then they desired that commissioners might once more be sent from both kingdoms to the king, to show the meaning of the propositions, and to hear the king's doubts and desires, who might farther intimate, that if his majesty should not give a satisfactory answer to the propositions, then both kingdoms would, without making any further application to him, take such course as they should think fittest for the peace and security of the kingdom;—but, in conclusion, they desired, that whatever had been moved by them concerning the king, might be rightly constructed, and as not implying any wavering from their first principles. "For," they add "when the king was in the height of his power we did not, and hope, never shall flatter him; and when the enemy was in the height of their pride and strength, Scotland did fear no colours; and now, when the king is at his lowest ebb, and hath cast himself into our army for safety, we hope to be pardoned, if, from our sense of honour and duty, we be very tender of the person and

Reply of the Scots

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posterity of the king, to whom we have so ma
and that we shall not be the worse thought of
cannot so far forget our allegiance, as not to ha
thy against any change of monarchical governm

Scottish commissioner's speeches printed.

XLV. When the conferences were finished,
of the Scottish commissioners were printed;
before their intended publication, they were sei
of the parliament, and the printer imprisoned.
however, soon after reprinted in Edinburgh, and
a long and not very temperate reply from the
in which they attempted a new distinction betw
of the Scots to the king, as king of Scotland, w
land, and their right to him as king of Scotla
England; and also between the disposal of t
the king in England, as an exercise of interes
being expressly provided for in the covenant, t

Reply of the commons to them.

ed was not to be considered as included unde
general stipulations. The concurrence of the
explanation having been voted unnecessary, wh
was sent to the Scottish commissioners, they ret
out any reply, as being the answer of only one l
legislature.

XLVI. The king, when informed of the settlem
rears, and the discussion respecting the disposal
buoyed up with hopes from Hamilton—who see
to have dealt very plainly with his majesty—exp
termination in a letter to him, to remain with th
my and come to Scotland, where he expected to
yet, to raise a party, and rekindle the flames of i
and used every argument which could touch the
affection, or loyalty of the duke, to induce him
the hopeless enterprise of aiding him to remou
without restrictions, or of involving his unhap

Charles solicits Hamilton's assistance.

country in new ruinous unprincipled hostilities.
ties changed Hamilton's intentions of going ab
being witness of his fall, which he feared, and
not prevent, into a resolution of "being the m
man in his dominions," and of devoting himse
his service; yet, when he did so, and when suc
ought to have moved the obdurate heart of the

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treated him in vain to think of yielding in time. "I dare, and I do engage," said this disinterested nobleman, "for a cheerful willingness and perfect fidelity in your majesty's service, and trust that God, in his mercy, will so direct your majesty, as by timeously granting the now necessary and most pressing demands of your kingdoms, the great evils will be prevented that threaten your sacred self, the queen's majesty, and your royal posterity." His majesty remained inflexible, and granted nothing, till his granting was of no consequence.

Hamilton again entreats him to comply.

He refuses

XLVII. When Hamilton could make nothing of the king, instead of giving up the remediless monarch, he, together with his brother Lanark, endeavoured, by his intrigues, to engage the estates to support the falling fortunes of Charles; and after much trouble and debate, they succeeded in surprising a committee of the whole into a resolution to send instructions to their commissioners in London, to insist upon his majesty being allowed to come to that capital with safety, honour, and freedom, to contend for monarchical government in England in his person, and his hereditary right to the crown. But the commissioners of the general assembly thwarted at the time this pernicious policy: they perceived that such a measure would involve the Scottish nation in a charge of the foulest treachery, and in a war of the most doubtful issue; and they published "a solemn and seasonable warning to all estates and degrees of persons throughout the land, admonishing them to beware of incurring the guilt of a broken covenant, and inculcating upon them a soul-abhorrence of every thought of a breach with England; and of the danger of his majesty's coming among them without subscribing the covenant, or satisfying the lawful desires of his loyal subjects of both nations; for so long as he did neither approve nor sign the league and covenant, it was impossible not to apprehend, but that, according to his former principles, he would walk in opposition to them himself, and study to draw his people into their violation; dissolve the union so happily begun between them and their brethren; weaken all mutual confidence, and create division among themselves. Neither was it possible to receive him, in the present posture of affairs without confirming the sus-

Hamilton surprises the estates into a vote in his favour.

Solemn warning of the assembly against it.

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picions of the English nation of their underhand dealin with him before he came to the army; and make them, n without cause, imagine that they purposed to dispose of hi without their consent, and to their prejudice; which were expose the nation to the hazard of a bloody war, involve the in the guilt of perjury, and prove of the greatest disservi to his majesty and his posterity, by prejudicing their intere in the crown and kingdom of England; they therefore e pressed their most earnest and longing desire, that as tho who were in trust with the public affairs of the kingdo had heretofore, in all their addresses, dealt with his majes with much strength of reason and vehemency of affectio so they would still deal with him to grant his royal conse to the desires of both the kingdoms, for settling religi according to the covenant, and for securing a perfect a durable peace."

The vote rescinded.

XLVIII. On this warning being read in the Scottish parli ment, a new debate arose respecting his majesty, when t former motion was reversed, and it was resolved to appoi commissioners from each estate to wait upon the king, a once more to desire his acceptance of the propositions; a to intimate to him, in case of refusal, that means would taken to secure the kingdom without him; also, that kingdom of Scotland could not lawfully engage themsel for his majesty, nor admit him into the kingdom, unles gave a satisfactory answer, and took the covenant. A with the information of these resolutions, an importunat ter was sent from the earl of Lanark, imploring the kin though he might despise considerations of personal d yet to pity his hopeful children and posterity; to pity h jects, and to pity all those who had suffered for him, a would be exposed to certain ruin; all possible means, him, had been used in a parliamentary way, to avert treme resolutions that were then taken, but all to pose:—for on any motion which seemed to infer latitude respecting the covenant, all their best fri sook them; "and therefore," he adds, "as in sence of God I must discharge myself to you and show you, the resolutions now taken here to the restraining of your majesty's person, ar

Resolutions of parliament.

Earl of Lanark's impressive letter.

ing the kingdom without you, will be infallibly put in execution, if your majesty does not satisfy in the covenant and religion, in the full, as is demanded; neither will it be in the power of any in this kingdom to prevent affronts and danger to your majesty's person, if you have any thoughts of coming hither."

XLIX. Despairing now of being able to effect any revolution in his own favour for the present in Scotland, and having found the army unwilling to act in opposition to the estates, Charles renewed his application for a personal conference with the English parliament; praying them to consider it was their king that requested to be heard, which request, if refused by a king to a subject, he would be called a tyrant; and desired permission to proceed to London to reside with freedom in one of his palaces in the neighbourhood. The lords voted that he might come to Newmarket, but the commons, would not agree; and resolved that Holmby House, in Northamptonshire, was the most proper place for his residence, if he would consent to abide there, with such attendants as the two houses should appoint; and in a conference with the lords, agreed, "that his coming hither should be with respect to the safety and preservation of his majesty's person, and in preservation and defence of the true religion, according to the covenant."

Charles applies for leave to come to London.

Holmby House appointed for his residence.

L. About this time, Whitelock says, a mutual understanding first took place for the delivering of the king, but yet the Scots were exceedingly unwilling to consent to this extreme measure; for in the beginning of the year, when the commissioners brought the resolutions of the estates to Newcastle, when they presented the first, and urged a compliance, they told him with what eagerness men were waiting for it; and that it would be received with more joy than had ever been seen at any coronation in England. Before he returned an answer, he desired to know whether he was a free man or a prisoner; adding, if he were a prisoner, it was the opinion of many divines, that promises made by a prisoner were not binding, though he did not assert that to be his own opinion; and next, whether he might go to Scotland, with honour, freedom and safety, or not? On these two captious questions, three hours were spent, and at last the

Resolutions of the Scottish parliament presented to him.

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commissioners were forced to give the king in writing, and unmitigated, their unpleasant message. The king's answer imported, that he was not to be threatened or terrified into any action in opposition to his inclination; and with this answer they returned back to Edinburgh.

1646. His answer.

Debate in parliament respecting his delivery to the English.

LI. When debated in the parliament, a few of Hamilton's friends alone resisted the universal sense of the house, which was to deliver up the king's person to the English. "Was this," they exclaimed, "the effect of all their protestations of duty and affection to their sovereign, the descendant of so many kings, to deliver him into the hands of his enemies? Was this their keeping of the covenant, wherein they had sworn to defend his majesty's person and authority? Was this a suitable return for his majesty's goodness, both in consenting to all the desires of that kingdom, in the year sixteen hundred and forty-one, and his late intrusting his person to their care?" The covenanters replied:—"That in delivering up the king to their brethren, they committed him in charge to fellow subjects who were equally interested in his welfare with themselves—that they had demonstrated their loyalty and affection, by using every endeavour in their power, to induce his majesty to comply with the universal wishes of his people, the only condition on which a monarch could reign with happiness or glory.—That, that covenant they had preserved unbroken; and would his majesty allow its obligation on the kingdoms who had sworn to observe it, there was not a man in Scotland but would rise in his behalf, nor would the sectaries in England, even now, dare to oppose his return to the throne.—His goodness in granting what they knew he meant to recall, they could not help recollecting, was an insidious bribe to obtain their aid against the liberty and religion of their brethren; and his present confidence was evidently only a choice of evils—whether he preferred being taken in Oxford—capitulating to sir Thomas Fairfax, or surrendering to lord Leven; and that he preferred the last, was only because he hoped to kindle a new war."* The question was then put, whether should they leave his majesty in England to the two houses there,

* Acts of the Scottish parliament, vol. vi.

or not? When it was carried, the duke gave a deep and solemn negative; and Lanark vehemently obtested, "As God shall have mercy upon my soul at the great day, I would choose rather to have my head struck off at the mercat cross of Edinburgh, than give my consent to this vote."*

1646. Determined in the affirmative

LII. In vindication of their resolution, the estates issued a declaration, narrating, "that when the king came to the quarters of the Scottish army, before Newark, he professed that he came there with the full and absolute intention to give all just satisfaction to the joint desires of both kingdoms, and with no thought either to continue this unnatural war any longer, or to make division betwixt the kingdoms; and in confidence of the reality of his intentions and resolutions, which he declared did proceed from no other ground than the deep sense of the bleeding condition of his kingdoms, and on these terms alone did the committees of the kingdom of Scotland, and the general officers of the Scottish army, declare to himself and to the kingdom of England, that they received him; and represented to him that the only way of his own happiness and peace of his own kingdoms under God, was to make good his professions, so solemnly renewed to both kingdoms, and the prejudice and inconvenience that would arise from delay; but that, notwithstanding, these promises remained unfulfilled; and as their army was now about to leave England, and the king had expressed in his answers to the propositions submitted to him, his desire to be near his two houses of parliament, and the two houses had appointed Holmby House for his reception, the estates of the parliament of the kingdom of Scotland concurred in his majesty's going to Holmby House, or some other of his houses in or about London, there to remain until he give satisfaction to both kingdoms in the propositions of peace; but in the interim, that there be no harm, prejudice, injury, nor violence, done to his person;—that there be no change of government, other than hath been these three years past, and that his posterity be in no way prejudiced in their lawful succession to the crown and government of these king-

Declaration of the estates vindicating their vote.

* Burnet's Mem. p. 310. Rushworth, vol. vi. p. 389, et seq. Stevenson's Hist. vol. iii. p. 1160. Guthrie, p. 192.

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1646. Desires of the kingdom presented to the English parliament.

doms." Along with a copy of their declaration, the mitted to the English parliament, "The desires of th dom of Scotland," which prove their anxiety to p their loyalty, and the person of the king.—They "That a committee of both the kingdoms be appoi attend his majesty, and press him further for grant propositions of peace—and in case of his refusal, to and determine what is further necessary for continui strengthening the union between the kingdoms, ac to the covenant and treaties; and that no peace nor ment be made by either kingdom with the king, with other, according to the late treaty betwixt the kingd Next: That such of the Scottish nation as have p charge about the king, may attend and exercise the and that none shall be debarred from having acces tend his majesty from the parliaments of either kingd spectively, or from the committee of either."

They assent to them.

LIII. To these desires the parliament of England ed, and promised to appoint a committee to join with Scotland, for procuring the king's assent to the prop of peace, as soon as the Scottish army should h England, and the king be arrived at Holmby House. they were now anxious to hasten, money for paymen arrears having been forwarded to Newcastle—thirty-s load of cash, in the month of December. The comm

The king leaves Newcastle for Holmby House —the Scots return home

ers who were to receive his majesty, followed in th end of January, next year; they were courteously r and had the honour of kissing his majesty's hand, wh fully set out with them, escorted by nine hundred h his new residence. The Scottish army, on the 30th ated Newcastle, and proceeded on the route to th country.*

Remarks.

LIV. I have been more full in detailing this tra because it has been generally represented, as if d disgrace had attached to the Scottish name on acco I can perceive none. I believe the English, instead ing them out of the half of their arrears, would have

* Acts of the parliament of Scotland, vol. vi. p. 239-40. Col. rations, &c. Advoc. Library.

them out of the whole, if they had not had the person of the king; but it seems to me equally clear, that the Scots would have delivered up the royal person, whether there had been money in the case or not; for it was neither their inclination nor interest, nor would it have been consistent with sound policy to have carried him to Scotland.

LV. All parties in England had joined to get quit of the Scottish army; but the presbyterians, who had the most influence with them, urged both the delivering up of the king and their departure, as the most probable means of accomplishing the dearest object of their concern;—the establishment of church uniformity. At this period the nearest approach had been made to the establishment of the presbyterian discipline through the whole of Britain; the Confession of Faith had been brought to a conclusion, and ratified by the English parliament; one doctrinal belief, and one form of public worship was acknowledged, and presbyteries actually constituted in London, and in Lancashire; while the fairest hopes were entertained that the whole country would follow the good example, if the party, who were a majority in parliament, could only regain the power of the sword, which the self-denying ordinance and the victory of Naseby had transferred into the hands of the independents. Could they have rested content with a general uniformity in the profession of faith, the mode of worship, and the spiritual jurisdiction—which is palpably the only scriptural jurisdiction conferred on a christian church—and had they allowed to dissenters simply the liberty of worshipping of God according to their conscience, so long as they continued peaceable subjects, the presbyterians had within their grasp the establishment of a uniformity, under a friendly and protecting government, as strict as it will ever perhaps be in their power, in the ordinary course of human affairs, to attain; and beyond which it would be pernicious and tyrannical to enforce it. But the English leaders, Hollis and Stapleton, wished to regain that political influence, of which the splendid talents of the younger Vane, and the military fame of Cromwell, had deprived them; and the surest method of obtaining this was to reduce the army, which was composed of men who had been led to victory by independents, and whose military and re-

State of presbytery in England.

Unsatisfactory to the leaders;

who wish to regain political power.

OK II. 1647.

ligious exercises were directed by the same officers. The men had been accustomed, and even encouraged to discu freely their different opinions on religious matters; and tl lay preachers—said to have been numerous among them- looked forward with apprehension to the prevalence of party, who would unsparingly have put an end to their u licensed ministrations. Their superiors encouraged th and the general feeling throughout the army, now known l the more appropriate designation of "sectaries," was that universal toleration, as far as consistent with a protesta government, and rational liberty. They viewed the peric of their being disbanded, as the termination of that freedo for which they had been fighting; and which, they we determined should be secured to them before they laid dow their arms. Intimations of their dismissal without attainin their object, gave rise to murmurs; and the presbyterian found themselves as much mistaken, in reckoning upon t omnipotence of parliament when opposed to a military for as the king had done in estimating the divine efficacy royalty when opposed to popular discontent.*

he army

lesire tol- eration;

oppose a reduction,

or being sent to Ire- land.

LVI. Motions to send the greater part of the regiments Ireland under new leaders, and to dismiss the rest, we carried, soon after the Scots left England; but the sectari who had feared a combination between the presbyterians a the Scottish army, which might have overmatched them soon as they were relieved from any apprehension on score, more openly showed their dissatisfaction. The officers of the country, clerks, commissaries, and others o description, had all been regularly paid, and numbers of

* It is dangerous to introduce discussion into armies, but it is impo exclude it from among the soldiers of a free state, especially in times dissension: and the greater part of the sectarian army consisted of had voluntarily inlisted. Oliver Cromwell's regiment, which, from of their commander, and their own exploits, attracted uncommon att thus described by Whitelock:—"He had a brave regiment of h countrymen, most of them freeholders and freeholders' sons, and wh ter of conscience, engaged in this quarrel." But this regiment was lar; and when such men, the strength and the hope of the country, a cause, it is not to be expected that they should act as mere m gardless of the object for which they are shedding their blood, or o ment which their arms contribute to settle.

had acquired fortunes; while the soldiers were in arrears for about a twelvemonth, and liable to be called to account for any irregularities they had been led to commit to supply their necessities. It was but fair that they who had borne the brunt of the day, should taste something of the reward of their labours; and a petition was presented, requiring payment of their arrears, indemnity for their conduct during the war, and exemption from being forced to serve in Ireland, unless these demands were satisfied. The commons, by a hasty vote, characterized the petition as mutinous; and the soldiers, irritated at being treated so harshly, complained openly, that while petitions against them were received and encouraged, they were denied the common privilege of subjects—of representing their own particular wrongs, although neither intermeddling with church nor state.

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Their petitions for arrears

declared mutinous.

LVII. Parliament, to appease them, and to carry into execution their determination about sending a force to Ireland, employed commissioners to treat with the army; who, on their part appointed deputies to treat for them. Their complaints were reiterated; but they expressed their willingness to proceed to Ireland under the command of their present officers—Fairfax and Cromwell—not otherwise. The commons were unprepared for the contest; and when it came to the point, when they should either have determined to go forward, at all events, or die at their posts, they yielded to negotiate; and in answer to a haughty vindication of their petitions, appointed Cromwell, Ireton, and Fleetwood, to proceed to the army, and endeavour to reconcile them to the orders of the house. On the arrival of these chiefs at head-quarters, the soldiers insisted upon a committee being appointed from each regiment, who should report their grievances to the council of general officers. Adjutators—or agitators, as they were afterwards called—were, in consequence, appointed from every troop; and an organized military deliberative body was formed. Meanwhile, the parliament, anxious for their reduction, voted that the arrears should be speedily audited, and security given for what remained due upon disbanding; that none who had voluntarily served, should be pressed for Ireland: and that widows, maimed soldiers, and orphans, should be provided

Parliament negotiates.

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for;—but resolved, that the regiments should be disbanded at different stations, and the money paid them at the places of rendezvous. The soldiers, suspecting that if they separated, they would never be paid their arrears, nor be individually safe from prosecution, refused to be disbanded apart; and the independents, too shrewd to be easily deceived, explicitly accused the presbyterians of a design in reducing the present army, merely to get rid of those who opposed their usurpations, and to make room for another more subservient to their schemes. The parties were in direct opposition; and the king might, by heartily and quickly joining with either, have given such a preponderance, as would have decided the superiority. His fatal policy continued the same; he teased both by faithless manœuvring, nor could the uniformly wretched issue of all his complicated intrigues prevail upon him to adopt the safest and the best road—plain downright honesty.

1647. Votes them to be disbanded, &c. They refuse.

The king's policy.

LVIII. Afraid that he would join with the parliament, where the cavaliers and presbyterians were for the time in unnatural alliance, the army resolved, by a bold stroke, to prevent a new and formidable force being raised under the sanction of the royal name. They despatched cornet Joyce, with five hundred men, to secure his majesty's person. The commissioners at Holmby, where he arrived before noon, amazed at his appearance, required to know, in writing, the reasons of his coming, with which he complied; and having set his watch, he departed for the evening, not to disturb his majesty, who had received notice of his arrival, and the purport of his visit; but on being informed of the sudden and suspicious departure of colonel Greaves, he insisted upon being admitted into the king's presence, to deliver his message personally, and learn if his majesty would willingly accompany him. He was, accordingly, introduced into the royal bedchamber, about ten o'clock at night; and at this interview, the king told him that he would willingly go with his party, upon being assured no harm would be done to him, nor any force put upon his conscience. Yet even in this transaction we have another instance of Charles' finesse; "for although the king told cornet Joyce before the commissioners, he was unwilling to go, yet he

The army obtain possession of his person.

said apart, such reasons might be produced that might prevail with him, and then he did protest nothing should stay him, but he would go whether the commissioners would, yea or no."* Next morning before setting out, his majesty demanded by what authority the cornet acted; and was informed, by that of the army. On being asked to produce his commission, Joyce pointed to the soldiers; when Charles remarked with a smile, "It was as fair a commission, and as well written as he had seen in his life—a company of as handsome, proper gentlemen, as he had seen a great while." At his own desire, the king was carried to Newmarket, nor would he return with the parliamentary commissioners to Holmby, when Fairfax entreated him; but told the general he had as much interest in the army as himself.

Carry him to Newmarket.

LIX. Secure of the person of the king, and apprized of the parliament's intention to reduce them by force, the army broke up and marched to St. Alban's, within twenty miles of London. Their approach threw the parliament and the city into the utmost consternation. The former presented a momentary show of resistance; but their long continuance in office, and the burdens they had necessarily imposed on the people, had weakened that weakest of all attachments—popular affection—and they found it impossible to maintain it. Cromwell, the favourite chief, while attending his duty as a member, had been constrained to withdraw and seek refuge in the army, to prevent his being sent to the Tower on a vague accusation. The army now demanded that Hollis, Stapleton, Walter, and other heads of the presbyterians, should be suspended from sitting in the house, on charges of having—in an arbitrary and violent manner—infringed the rights and liberties of the nation; and endeavoured, by false information, to create jealousies between the parliament and the army, and to embroil the kingdom in a new and bloody war. Unable to resist, the impeached leaders withdrew, the levies were discontinued, an act of oblivion proposed, and the command of the militia, which had been taken from the independents, was restored. Satisfied with these concessions, the army retired to Reading, where they had not long re-

Advances to St. Alban's.

Their demands of parliament.

Conceded; they withdraw to Reading.

* Impartial narration concerning the army's preservation of the king. Rushworth, vol. vi. p. 515.

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mained, when tumults, excited by the political presbyterians and high royalists, against their opponents, called for their interference; that coalition having in their disappointed rage, left the independents no choice but the dominion of a mob, or the protection of an army.*

LX. The citizens were favourable to the presbyterians; and a number of young men and apprentices, relying on their countenance, accompanied by a band of unruly characters, presented a petition to the house of commons, requiring them to alter their vote respecting the militia; the members, who also favoured them as the tools of their ambition, imagining that with the assistance of the city, they might resist the army, privately cherished these disorders; at least on this occasion offering no opposition. The crowd pressed to the doors in a clamorous, threatening manner; and their violence prevailing, they extorted an order for re-establishing the militia as formerly; but not satisfied with this, the populace forced their way into the house, obliged the speaker to resume the chair he had left, and the house to pass an ordinance for the king's being recalled to London, in a free unshackled manner. Fairfax, when he heard of the tumults in the city, advanced to Hounslow Heath, where he was met by the speakers of both houses, attended by nineteen lords, and a hundred commoners, who, considering the freedom of parliament invaded by the tumultuous crowds who broke in upon their deliberation, and dictated their resolutions, sought refuge with the general. The members who remained elected other speakers, recalled the accused chiefs, voted that the king should come to his parliament with honour, freedom, and safety, and again assumed a threatening aspect; but the advance of the army put an end to their bravadoes. The lines of the city, the militia, and the forts were surrounded, the seceding members were restored in triumph, and the ascendancy of the military over the civil authority was established.

Parliament overawed by the populace,

call in the army,

who assume the mastery.

LXI. During these contentions, "the unparalleled wilfulness of the king,"—as Baillie phrases it—led him to reject the most moderate proposals that ever victorious subjects of-

* Ludlow, vol. i. p. 84, et seq.

fered to a vanquished prince; and he threw away the fairest opportunity which had occurred since the commencement of the war, of regaining his full legitimate share of power, and the only place in the constitution which, as king of a free people, he ought to have desired, or which he could have held in safety.*

LXII. The army, on whom the independents relied for enabling them to establish that toleration to which episcopalians and presbyterians were both opposed, was, as yet, not averse to the king; and when he came among them, stood in a very precarious and critical situation—their pay was greatly in arrears, the Scots, the parliament, and the city were against them; they, therefore, courted his majesty, and treated him with a flattering respect and attention, to which he had been comparatively a stranger; for although, while at Newcastle, and at Holmby, he had been exposed to

Their treatment of the king.

* During the progress of civil wars, armies always change for the worse; they first inlist perhaps from principle, then they get attached to the military life or their officers, and generally end in subduing the people they were raised to defend, and destroying that liberty they were embodied to preserve. But England had not at this crisis been accustomed to a standing army; the troops were still armed citizens, capable of returning to the common occupations of life if disbanded, and not yet drilled into that disregard for domestic enjoyment, and the unshowy tranquillity of ordinary occupation which the continued discipline of a regular army inspires. Their propositions were in accordance with this character, and show an anxiety for liberty very different from what would have been found among mercenaries. They proposed that there should be triennial parliaments, to sit one hundred and twenty days certain, unless dissolved or adjourned sooner by their own consent; afterward to be adjournable or dissolvable by the king; and no parliament to sit more than two hundred and forty days from their first meeting: the election of the commons to be equally distributed among the people, in proportion to the respective rates they bear in the charges and burdens of the kingdom, in order to render that house as near as may be an equal representative of the whole—the burgesses for poor and decayed towns to be withdrawn, and a proportional addition of members to be made to the great counties—the freedom of parliament to be fully settled—the power of the militia to be with the parliament for ten years—the great officers of state to be nominated by the first triennial parliament for three years—after which they to nominate for each vacancy three, of whom his majesty to choose one—none who had borne arms against parliament were eligible for five years. All coercive power and jurisdiction to be withdrawn from church courts, of whatever description. All acts and penalties for not using the book of common prayer, for not coming to church, or for meeting elsewhere, to be repealed; and the taking of the covenant not to be enforced upon any Rush. vol. vii. p. 231. et seq.

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very few privations, yet he had been closely guarded, a his particular friends prevented from seeing him—the were now admitted to his presence without reserve; his fo mer attendants were permitted to return, his younger ch dren were allowed to be with him, and his chaplains we restored; nor were any objections made to his using the turgy in his private devotions.

LXIII. The independents, who claimed no religious est blishment for themselves, would have consented to a mod rate episcopacy, depriving it only of what the best and t wisest episcopalians have confessed it was purer when wanted—enormous revenues, and temporal power; and th had declared against the duration of the present parliamen whose authority the king wished also to see at an end. C these accounts, it appeared highly eligible, that his majes should accept of their proffers; and the queen, who h heard of their friendly disposition, strongly advised Char to avail himself of it. Sir John Berkley, who delivered h letter, seconded her advice; and was employed to manag the negotiations with the army. Cromwell, in all his con ferences, appeared most zealous for a speedy agreement with the king. Ireton was prepossessed in his favour, and be lieved that he might have been induced to comply with pro positions compatible with the public good, till his own actions undeceived him;* and the officers, for the time, were in ge neral inclined to accommodation.† Never had the king been offered such moderate terms; and all urged him to agree expeditiously, as there was no dependance to be placed on the disposition of the army, it had already so frequently changed. Previously to their being publicly offered, the conditions were privately submitted to the king, and sir John Berkley was conjured, as he tendered his master's welfare,

The officers desirous of an accommodation.

* He upon one occasion remarked to Ireton, "I shall play my game as well as I can;" to which the general replied, "If your majesty has a game to play, you must give us also the liberty to play ours." Afterwards, speaking to colonel Hutchinson about the king, Ireton's expressions were these: "He gave us words, and we paid him in his own coin, when we found he had no real intention to the people's good, but to prevail, by our factions, to regain by art what he had lost in fight" Hutchinson's Mem. p. 277.

† Ludlow, folio ed. p. 77. Hutchinson's Mem. 4to. ed. p. 276. Berkley Mem.

to endeavour to procure his consent to the proposals, that they might then be offered to parliament, and all differences accommodated. When sir John wished to soften some of them, respecting the admission of the king's party to parliament, Ireton reminded him, that there must be a distinction made between the conquerors and the vanquished; and that he himself should be afraid of a parliament, where the royalists had a majority. Sir John acquiesced in the justice of the observation, and carried the proposals to his majesty. Charles, when he had perused them, said, if they had any real desire for an accommodation, they should not propose such hard terms to him: sir John replied, he should rather have suspected that they designed to deceive him, had they demanded less; and that a crown so near lost, was never so easily recovered as this would be, if matters were adjusted on these terms. The king, however, was of a different opinion; he imagined they could not exist without him, and that they would be obliged to come to his terms; he particularly objected to the exclusion of seven persons from pardon, the incapacitating any of his friends from sitting in parliament, and that there was no express stipulations in favour of episcopacy. To the first, it was answered, when he and the army were agreed, it might not be impossible to obtain a remission; or, at all events, when restored, he would have it in his power to render banishment supportable to seven persons; to the others, that it would be an advantage to his party to be excluded from the next parliament, which would have to lay many burdens on the people; that the law was security enough, for the church; and that it was a great point gained, to induce men who had fought against it, to be wholly silent in the matter; but the king would hear nothing, and broke off haughtily, exclaiming, "Well, I shall see them glad, ere long, to accept of more equal terms." About this time, Ashburnham arrived, and unhappily flattered the king's native propensity to believe himself and his royal character safe and inviolable amid all the storms of state. The presbyterians, who were terribly alarmed lest he would accept of the favourable conditions of the army, by their assiduous applications, heightened the delusion; and the offers of

Charles rejects their propositions.

BOOK XII

the city of London, to stand by him through life and dea confirmed it.

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His conduct to the deputation.

LXIV. When the propositions were formally presented his acceptance, to the astonishment of every person, he ceived the deputies of the army very cavalierly; entertai them with sharp and bitter language, and, instead of asse ing, told them that no man should suffer for his sake, t he repented of no action that ever he did, so bitterly as passing the bill against the earl of Strafford; and that would have the church established by law as part of th agreement. When reminded that he had consented to abolition of episcopacy in Scotland, he, with the most un countable folly, declared that he hoped God had forgi him that sin, and frequently repeated, "You cannot be wi out me, you will fall to ruin if I do not sustain you." Be ley perceiving the disgust this strange behaviour occasion went up to him, and whispered in his ear;—"Sir, your m jesty speaks as if you had some secret power and streng which I do not know of, and since you have concealed from me, I wish you had concealed it from these men als Charles then softened his manner a little, and attempted explain away his expressions, but it was too late; color Rainsborough—the least desirous of an agreement—havi remarked these passages, left the conference, and hasteni to the army, informed them of the reception their commi sioners had met with.

Officers renew negotiations.

LXV. Notwithstanding this repulse, the other officers we still anxious to bring the king to terms. After they had r turned to their quarters, they renewed their negotiation and even, when there was an appearance of London and th parliament submitting, Cromwell and Ireton earnestly e treated the king, that since he would not yield to their pr posals, that he would, at least, send a kind letter to the a my, disclaiming any connexion with the tumults in the cap tal, before it was known that the city would give in, whi might efface any disagreeable impressions his ungracious r fusal had made; but Charles would never consent to do th gracefully, or in time, which was generally extorted fro him at last, and when it could be of no service—even th

little civility could not be wrung from him by the joint supplications of his advisers, till four councils had been held, and a day consumed in useless debate. As soon as his reluctant signature was procured, Ashburnham and Berkley proceeded to Zion-house with it; but they found commissioners from London had arrived, and the letter was out of date; the difficulty with which it was obtained, also transpiring, its effects were rather pernicious than beneficial. At the request of the Scottish commissioners, the parliament again attempted a negotiation with the king, on the basis of the treaty proposed at Newcastle; his majesty, however, by the advice of some of his friends, refused the proposals, and required a personal treaty. The officers of the army, to whom his answer was shown before it was sent off, seemed satisfied at his refusing to treat with the two houses; and Cromwell and Ireton exerted their endeavours, together with a number of their friends in parliament, in pressing the king's desires with so much earnestness, that they incurred suspicions of having betrayed the public cause, and sold themselves in private to his interest.

His letter to the army, too late.

Refuses to treat with parliament

LXVI. While the house of commons evinced a strong reluctance to any compromising measures, the king, who had employed the liberty granted him by the army, for the purpose of renewing his intrigues, was again engaged in a secret negotiation with the duke of Hamilton and his party, in order to induce the Scottish to join with the English presbyterians, for the purpose of replacing him in unlimited authority; and for the precarious chance of being sole umpire in the bloody contest, he was willing to involve the nations again in all the horrors of intestine war. The Scots had been considerably chagrined at the little regard which the English had latterly shown to the covenant, and the little value which they appeared to set upon their services; those among them who had expected the dissolution of the sectarian army on the reduction of their own, were wofully disappointed, when they saw them, so far from being weakened and dismissed by the parliament, become the masters not only of them, but of the king's person; and they began to listen to the suggestions of the Hamilton faction—who had never ceased reprobating their delivering up the king—and

His secret negotiations with Hamilton.

The Scots favourable.

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to believe, that the prolongation of the civil distractions wa owing to the ambition of the wild schismatics, and the influ ence of anti-monarchical principles, rather than to the unsub dued wilfulness of Charles. They universally disapproved of the seizure of the sovereign by the army, and Lauder dale, in their name, had protested against it; but they were considerably divided in their sentiments, as to the cours which they ought to pursue, and in what manner they could now interfere.

He sends for Lanark.

LXVII. Charles, informed of these, as he deemed them fa vourable symptoms, wrote to the earl of Lanark, requesting that he and his brother should join the Scottish commissio ers in England; Lanark, in return, frankly told him, tha nothing could be done in Scotland, unless he would ac cept the covenant; and advised him to go at first the whole length he intended to go, in acceding to the conditions de manded, or to make his escape in time. But Charles' hope rising with the appearances of discord between the city an army, and the assurances of the English presbyterians, re iterated his request; and the committee of estates, upon the representations of Lauderdale, after much warm discus sion, agreed to send him and the chancellor to assist their other commissioners, in attempting to procure an arrange ment between the king and parliament of England; and to comfort and encourage both, in their refusal to comply with the propositions of the army.* Lauderdale, at the same time, attempted by every means in his power, to infuse into the king's mind suspicions of the designs of the army— they having refused him admittance to the royal presence at Wotten, and ordered him to leave headquarters rather un ceremoniously, an affront which his dark malignant soul could never forgive. He represented them as desirous of his ruin, and the destruction of the monarchy, and the affront put upon himself, as an indignity done the nation. The committee participated in his feelings, which were some what heightened by the detention of Chiesly, the secre tary of their commission, at Newcastle;† and it requir

His answer.

He and Loudon sent to London.

* Burnet's Memoirs, p. 324.

† Baillie's Letters, vol. ii. p. 257. Guthrie's Mem. p. 341.

the entreaties of the king, that in such a perilous time, his friends should not stand upon punctilios with the English, to induce them to accept along with the Scottish commissioners, a very lame apology, and allow the chancellor and Lanark to proceed.*

LXVIII. In October, commenced a clandestine treaty with Charles on his removal to Hampton Court, and as the army —now triumphant—were alienated from the king by his obstinacy, and their chiefs by his disingenuousness, they urged him to retire to some place of safety while it was yet in his power; and suggested Berwick, from its proximity to Scotland, and the facilities which it afforded for negotiating with his friends in both kingdoms. On his assurance to do this, they left him for London, where, a few days afterward, they were surprised with the intelligence, that he had departed from Hampton Court, and was conveyed to Carisbrook castle, by the indiscretion of Ashburnham, who brought Hammond, the governor of the Isle of Wight, to the place of his concealment, without having previously obtained a promise from him to respect his majesty's person.† The marked coldness of the officers was occasioned partly by their discovering the multiplied intrigues of Charles; but the open and decided hostility of Ireton and Cromwell has been thus accounted for, on the authority of lord Broghill, earl of Orrery. Cromwell, riding out with Ireton and Broghill, after the latter had relieved them at Clonmel, observed repeatedly, in a familiar conversation, that they had once a mind to have closed with the king; and had he consulted his own judgment, or had his servants been true, he would have fooled them all. Broghill asking an explanation, Cromwell freely answered, that observing the Scots and presbyterians likely to agree with the king, they resolved to prevent them, by obtaining reasonable conditions for themselves While deliberating on the subject, they were informed by one of the spies of the bedchamber, that their doom was fixed that day; and that it was communicated in a letter to the queen, which was sewed up in the skirt of a saddle, to be sent by a messenger ignorant of the charge, to an inn in

Scots request Charles to retire to Berwick.

He escapes to the Isle of Wight.

The cause of his ruin.

* Burnet's Mem. p. 322. † Ludlow, p. 85.

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Holborn, and conveyed to Dover. "On which," added he, "Ireton and I resolved immediately to take horse from Windsor, and watching at the inn, in the disguise of troopers, we discovered the messenger, took away the saddle to examine it, and on unripping one of the skirts, got possession of the letter. In it, his majesty acquainted the queen, that he was courted by both Scottish, presbyterians, and the army, but he thought he should close with the Scots; upon this, we speeded to Windsor, and finding we were not likely to have any tolerable terms with the king we resolved to ruin him." The passage of the letter which determined his fate is said to have been to this effect:—"that she should leave him to manage, who was better informed of all circumstances than she could be; that she might be entirely easy as to whatever concessions he should make them, for that he should know how to deal with the rogues; who, instead of a silken garter, in due time should be fitted with a hempen cord."*

LXIX. At his departure from Hampton Court, Charles had evidently considered himself as retiring to a place where he would be his own unconstrained master; as he talks in the letter which he left for the parliament, that he would instantly break through his cloud of retirement, when he could be heard with freedom, honour, and safety; but at the same time, it is equally clear, that he had no intention of breaking up any of his complicated plots. Princes, in the plenitude of power, may engage in various and discordant intrigues; they may promise to different parties what they never intend to fulfil, and what they know it would be impossible for them to perform; while they are successful, they are certain their conduct dare not to be too nicely scrutinized; and flatterers will never be wanting to form apologies for, or even to praise the breach of their engagements; but it is a dangerous thing for captive monarchs to enter upon double negotiations, the failure of which must necessarily incur the

His own nets close around him.

* It is astonishing that historians who record and authenticate such an anecdote as this, should style Charles a *pious* monarch, and Cromwell a hypocrite, as if hypocrisy could only be allied with religion—alas! there are many hypocrites who never pray, and as despicable as those who do. Orrery's Life. Laing's Scotland, vol. iii. p 564.

uncourtly epithets of perfidy or fraud. Charles imagined he could keep fair with all parties; he succeeded only in making dupes of the Scots, whose divided and impoverished aristocracy laid them open to his delusive artifice. Lauderdale and Lanark were already gained by him, and their united influence, added to the royal confirmation of the gift of annuities, brought over the chancellor, whose pecuniary embarrassments rendered that species of eloquence peculiarly persuasive. They had strenuously contended for, and would most probably have obtained a personal treaty, or, at any rate, they would have lengthened out their negotiations, until they had got their friends apprized of their situation with the king; when Charles, finding himself once more in the toils, was under the necessity of sending such a message to the parliament, as he thought would deceive those in whose power he again felt himself. He offered to consent to the establishment of presbytery for three years; to limit, even when it was tolerated, the office of bishop to the name and spiritual function; to resign the militia during his reign; to pay up the arrears due the army; allow liberty of conscience; pass an act of oblivion; and take away the courts of wards and liveries for a recompense to be settled by the parliament. Knowing that these proposals, together with his flight, would not a little surprise the Scottish commissioners, and wholly alienate the covenanters, when they were informed of them, he, two days after, sent a very pitiful explanation of his duplicity:—"As I know," says he, in a letter to Lanark, "my coming hither will be variously scanned, so I believe that my message to the two houses will have divers interpretations, for neither of which do I mean to make any apology, for honest actions, at last, will best interpret themselves; only, I must observe to you, that what I have sent to London, the end of it is to procure a personal treaty; for which, if I have striven to please all interests, with all possible equality, without wronging my conscience, I hope no reasonable man will blame me; nor am I so unreasonable as to imagine, that this, my message, can totally content my own party; but for the end of it—a personal treaty—I hope that all the reasonable men on all sides will concur with me, as I expect your Scottish commissioners

His proposals to parliament.

Subterfuges.

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should do, though I know you must dislike many passages in it. This I thought necessary to write to you, that you might assure your fellow commissioners, that change of place hath not altered my mind from what it was when you last saw me."

LXX. The commissioners, hurt at the want of confidence the king had shown, and unsatisfied with his majesty's excuses, expressed their vexation in an answer which they immediately returned. They had hoped, from the message left at Hampton Court, that he had gone to some place where he might have been safe, and free from his enemies, and where his friends might have had access to him:—

Answer of the Scottish commissioners,

"But," add, "as the place to which you are gone, so your majesty's message hath infinitely disabled us to serve you, for what you offer in matter of religion, comes far short of your former; besides, it grants a full toleration of schism and heresy for ever. And as for your concessions in things civil, more is granted than was expected by some, or wished by others; and although we know not how effectual your majesty's message may prove, for a personal treaty, yet, our endeavours shall be really contributed for that end, as we have done in part already." And they conclude, by obliquely hinting at the irremediable error which he had committed, unless he were willing unreservedly to submit:—"If this message be rejected—a personal treaty denied—the new propositions pressed by the two houses—and your majesty in no better security than formerly, [we wish] you would advise us in time what to do, and wherein we can be useful to your majesty." And on the 24th of the same month, they told him, "It is of no advantage to expostulate about what is past, either the carrying your majesty in that sad place, or the prejudice your service and we suffer by your majesty's message—for while you study to satisfy all, you satisfy no interest." His message was not more satisfactory to the parliament; who being informed of

of parliament, to his proposals,

suspecting his trinketting with the Scots, replied, by presenting him with four propositions—requiring him to render the militia for twenty years, and even longer, if necessary—to annul all acts and patents passed under the great seal since it was taken away from London—to

all proclamations against parliament—and to allow parliament the power of adjourning at pleasure:—upon his agreeing to which, he would be admitted to a personal treaty.

LXXI. The Scottish commissioners opposed these propositions at every step; but after the bills had passed, the two houses refused to communicate with them on the subject, as being against the rights, privileges, and custom of the parliament of England, to communicate to foreigners what waited the royal assent, till that assent were obtained; but desired that the commissioners might prepare what propositions they thought fit for the kingdom of Scotland, and they should be sent along with them. The Scottish commissioners replied, that there were several things that concerned the proper rights, laws, and liberties of the kingdom of England, in which they had no desire to interfere; but, that there were other matters, which, in their own nature, as being common to both by covenant or treaty, wherein, unless they should forget their duty to God, to the king's majesty, to their native kingdom, or to the English nation, their common concernment and interest could not be denied: for as Scotland was invited and entered into the war on the grounds of common interest, so it was but reasonable for them to claim, that in making peace, the same principles should be followed, and the same conjunction of interests pursued. This, they contended, was agreeable to the law of nations and the rule of equity—to the express conditions of the solemn league and covenant, the duty of their allegiance, and the treaties and declarations between the kingdoms. The houses of parliament, they said, had frequently professed that the chief end of their wars was the reformation and establishment of religion, according to the covenant; and they had often promised and declared to the king and to all the world, that no trouble or success should ever make them wrong or diminish the power of the crown; and these were the motives and arguments by which they induced Scotland to engage in the contest: "Let it, therefore, then, be evident now," they continued, "that you are not unmindful of the solemn vows you made to God, in the time of distress, for the reformation of religion—and let it really appear, that the advantages and power which success hath put into your

Discussion between the parliament and the Scots respecting the propositions.

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hands, have not lessened your loyalty to the king." But they protested against the bills, as containing nothing respecting uniformity in religion, and as tending to diminish the proper prerogatives of the crown, and as being passed without their concurrence.

Scots protest against the bills.

LXXII. While the propositions were in course of debate, the treaty with the Scottish commissioners was still proceeding: though they in vain reiterated their entreaties to Charles, to retire to a place of safety, where he would be removed from the control of the army; and assured him, if he did not, he would, in a short time, be put under restraint. Still, however, flattering himself with the belief that his double negotiations were not known, he urged *them* to come to the Isle of Wight, where he told them, he hoped to conclude with them such a compact as would satisfy his people of Scotland, and inspirit them to rise in his cause. But the earl of Traquair, arriving, like an evil genius, at this most critical period, conveyed to him the most fallacious ideas of the state of the public mind in Scotland. He assured his majesty that it was only Argyle's party, and a few of the more rigid covenanters, who tyrannized over the kingdom—that the majority of the nation were indignant at the unworthy treatment he received—were impatient of their control, and ready to aid him with all their power to recover his just rights; which being agreeable to his prejudices, precipitated the unhappy monarch to his ruin.

A new intrigue with the Scots.

LXXIII. The arrival of the English commissioners brought matters to a crisis; they were followed by the Scottish, who came under pretext of protesting against the propositions; but, in fact, to conclude the fatal engagement. When the bills were presented to the king, the Scottish commissioners were not at court; but next day they gave in their declaration, stating, "that they had left no means unessayed, that with united counsels with the houses of parliament of England, and by making joint applications to his majesty, there might be a composure of all differences; but that the new propositions and the bills therewith presented to his majesty were so prejudicial to religion, the crown, and the union and interest of the kingdoms, and so far different from the former proceedings and engagements betwixt the kingdoms,

The engagement.

that they could not concur therein: therefore, in the name of the kingdom of Scotland, they dissented from the propositions and bills." The king received their dissent in silence; but was afterwards closetted with them for four hours. At this interview, the treaty was finally concluded. In the preamble he acknowledged his belief that the professions of those who signed the solemn league and covenant for the preservation of his person and authority, according to their allegiance, were real, and that they had no intention to diminish his power and greatness; he therefore consented to confirm that deed, as soon as he could with freedom, honour and safety, be present in a free parliament; provided that none who were unwilling should be constrained to take it.—He engaged to confirm by act of parliament, presbyterian church government in England for three years; during which, the assembly of divines, assisted by twenty whom he should nominate, together with his majesty and the two houses of parliament, would, at the expiration of that term, establish such a form as should be most agreeable to the word of God.—He also engaged that an effectual method should be taken by act of parliament for suppressing schism and heresy, the opinions of the arians, socinians, independents, anabaptists, separatists, and seekers, or any others, destructive to order and government, or to the peace of the church and kingdom.

LXXIV. In their instructions to the commissioners, the estates of parliament had, last year, desired them to attempt procuring the freedom and privilege of trade with England and Ireland—that the natives of all the kingdoms should be declared capable of any incorporation trade, or society, in either—that Scottishmen should be capable of all places, faculties, professions, and benefits, within the two kingdoms, the natives of which should enjoy equal privileges with them, and that a part of the English fleet should be appointed to guard the Scottish commerce from depredation.* These the king engaged to see carried into the fullest effect. In return, the Scottish commissioners engaged that an army should be sent out of Scotland into England, for the preservation and establishment of religion, for defence of his majesty's person

Its stipulations.

* Acts of the Scottish Parliament, vol. vi. p. 227.

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and authority, and restoring him to his government, to the just rights of the crown, and the full revenues; they further agreed that all such in the kingdoms of England and Ireland, as would join with the kingdom of Scotland, in pursuance of this engagement, should be protected by his majesty in their persons and estates; and that all his subjects in England or Ireland, who would join with him, in pursuance of the engagement, might come to the Scottish army and join with them, or else put themselves in other bodies, in England or Wales, for prosecution of the same ends, as the king's majesty should judge most convenient, under such commanders and generals of the English nation as his majesty should think fit.*

LXXV. This engagement, the terms of which, if they had been granted at Newcastle, would have long ago reinstated the king in his seat, were acceded to by Charles, in the full conviction that it was impossible they could ever be performed; and that if the Scots, in conjunction with the Irish and the English royalists, should succeed, when he found himself at the head of a victorious army, there would be no power by which they could be enforced. The Scottish commissioners insisted upon them, as they knew nothing short of them would be for a moment listened to in Scotland; but with the tacit understanding that the performance would not be too rigidly exacted. A treaty so foul, and which would have treacherously thrown away all that the nation had so fervently contended for, could never come to good; and it is somewhat surprising, how men of such acuteness as Lauderdale and Loudon, should have ever expected to reconcile the Scottish nation to what carried on its front the marks of its insincerity in the almost open avowal of union with the papists of Ireland and the malignants of England; but it is equally surprising that historians should have been found who could extenuate or excuse so nefarious transaction on the part of the king, by which more than twenty thousand of his subjects were immolated at the shrine of his irrational obstinacy. The treaty, when finished,

Both parties insincere.

* Clarendon, vol. iii. p. 82. Lord Loudon's Speech. Stevenson's vol. iii. p. 1218. Rushworth, vol vii. p. 807, 946.

enclosed in lead and buried in the garden, to be afterwards transmitted to the commissioners in London; fears being entertained that they might be searched by the road.

LXXVI. When the engagement was settled, it only remained to amuse the English commissioners till Charles should effect his escape to Ireland, whence he could easily transport himself to England or Scotland, to head his forces and recommence the war—it only wanted one falsehood more to have effected this; but Charles hoped to avoid that by a manœuvre; instead of a direct refusal, he imagined the parliamentary commissioners would accept of a sealed evasion; they, however, rejected the office, declining to be the bearers of a message with the nature of which they were unacquainted, and the king was reluctantly forced to open his packet. When they read the contents, suspecting the king's intentions, they, upon retiring, gave orders for his majesty to be more strictly watched, which an attempt to carry him off, by one captain Burley, next day, evinced to be no unnecessary precaution.* Charles suspected.

LXXVII. The republican party, as they were afterwards styled, who dreaded that Charles would have accepted the bills, when his rejection of them was announced, gratified as they were, and eager to take advantage of his refusal, would, notwithstanding, have found it difficult to proceed to the extreme measures they did, had his refusal been sincere and

* After the attempt had been frustrated, the confidential servants of the king were removed, and his guards redoubled. The garrison was re-enforced, and every precaution, to prevent his getting away, was observed with the strictest security. That this was done in consequence of the opposite party being acquainted with his plotting, was plainly enough intimated to him by Hammond; who, when the king sent for him, and asked him the reason "Why he had given orders for dismissing his majesty's servants, and whether it stood with the engagement to them who had so truly cast themselves upon him, and with his honour and honesty?" told him, "That his honour and honesty, were, in the first place, to them that employed him, and next, that he thought he [the king] could not but confess that he had done more, as things stood, for him, than he himself could have expected." The king then asked him, whether the commissioners were privy to the [last] order? he said no; and on the king's demanding, by what authority he did it? answered, "By authority of both houses of parliament; and that he supposed his majesty was not ignorant of the cause of his doing thus."—The king professed the contrary—to which the governor replied, that he plainly saw his majesty was acted by other counsels than stood with the good of the country. Whitelock, p. 288.

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1648. The Scottish treaty transpires.

unconnected with any other transaction; but the engagement with the Scots transpiring, which, not even his keenest friends in parliament could defend, it was laid hold of for putting an end to all temporizing measures;—Cromwell acknowledged the king's abilities; but pronounced him so false and hollow a dissembler as not to be trusted—that while he professed with all solemnity to refer himself wholly to parliament, and to depend only upon their wisdom and counsel for the settlement and composing the distractions of the kingdom, he had, at the same time, secret treaties with the Scottish commissioners to embroil the nation in a new war, and destroy the parliament: he therefore moved, in the house of commons, that the affairs of the kingdom should be settled without farther recourse to the king; and, after a debate of a whole day, from morning till late at night, it was resolved, that no more addresses should be made to Charles, or messages received from him; and a declaration, announcing to the public that he had virtually ceased to reign, and detailing the causes which led to this consummation, was directed to be published.

Charles ceases to reign.

Proceedings of Leslie.

LXXVIII. Internal tranquillity was partially restored to Scotland during these important transactions in England, by the reduction of the Gordons in the north, and Macdonald in the west. But this was unhappily accompanied by acts of equally sanguinary retaliation upon the Irish, as that which marked the victory of Philiphaugh. When the army returned home, it was immediately reduced to about six thousand men. These chiefly officered by soldiers of fortune, who professed a rigid zeal for the covenant, were sent north, under the command of David Leslie, who successively captured the principal strengths belonging to Huntly, and in accordance with his instructions, spared the lives of the natives; but uniformly did military execution on the Irish auxiliaries. Thence crossing through Badenoch to Kintyre, he surprised the strong passes of the country. Terrified at his approach, Macdonald, placing a garrison at Dunavertie, a castle upon the top of a hill, fled to Isla, where he left his father, Col. Kettoch, in the fortress of Duneveg, with two hundred men, and carried the rest of his followers to Ireland; where, some time after, he fell in battle. The house

Massacre of Dunavertie.

of Dunavertie, although strong, had no water within its walls, but what fell from the clouds, or was supplied from a small streamlet at the foot of the hill, defended by some outworks; these being carried by assault, and a sultry month of July affording no rain, the garrison was constrained, by thirst, to surrender at discretion, when nearly two hundred were put to death, and the rest were sent to serve in the French wars.* From Kintyre, the expedition went to Isla,

* Sir James Turner, in his MS. Memoirs, when mentioning the massacre at Dunavertie, after acquitting the earl of Argyle of any share of blame in the transaction, makes the following observations:—"Fourthlie, I have several times spoke to the lieutenant general to save these men's lives, and he always assented to it; and I know of himself, he was unwilling to shed their blood. Fifthlie, Mr. John Nevay, who was appointed by the commission of the kirk to wait on him as his chaplaine, never ceased to tempt him to that bloodshed, yea, and threatened him with the curses befell Saull, for sparing the Amalakites; for with them his theologie taught him to compare the Dunavertie men: and I verilie believe that this prevailed most with David Leslye, who looked upon Nevay as the representative of the kirk of Scotland. Lastlie, there is no doubt but the lieutenant general might legalie enough, without the least transgression of either the custom, practice, or law of warre, or his own commission, have used them as he did; for he was bound by no article to them, they having submitted themselves absolutelie to his discretion. It is true, on the other hand, *summum jus summa injuria*; and in such cases, mercy is the more christian, the more honourable, and the more ordinare way in our warres in Europe. But I really believe, *advise him to that act who woll*, he hath repented it many times since, and even very soon after the doing it." The saving clause in the last sentence goes, I think, far to exculpate Nevay from the odious imputation of urging Leslie to this cruel act. Salmonet, who apparently confounds forcing the pass of Tarbet with the affair at Dunavertie, suggests an excuse, in the dread Leslie had of a fresh invasion from Ireland. But his instructions seem to have been founded on the treaty between the two kingdoms, formerly noticed; and his ready obedience in other cases, render it rather dubious whether he needed any monitor in this. In his own account of the taking of Lismore, the conditions, he says, were, "That he, the captain, should yield the house, and all that therein wes—that all the Irish should dye, and his own life and Harthill's be spared;" and adds, with great coolness, "so I caused hang twenty-seven Irish." In the same despatch, he says, "Wardhous was reduced without much dispute, wherein were fourteen Irish and a captain, all which I caused to be put to death." And in a letter from Dounebog, June 25th, he gives the following as his opinion of the treatment the islanders should receive: "Because I think hardly this yle, or anie others, can be brought to obedience without totallie ruine of them, I thought it my duetie to desyre your lordship's order by the bearer what you will command me to do therein."—A person who could recommend the total ruin of the isles, as the best mode of effecting their subjugation, cannot be supposed very unwilling to shed blood.

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where Duneveg made a more protracted resistance; but t governor being taken prisoner, when he incautiously ve tured without the castle, the garrison surrendered, upon cc dition of having their lives spared—a condition which w granted, the besiegers themselves being in want of provisio The officers were permitted to disperse upon parole, and t common men were given to Henry Sinclair, a lieutenai colonel in the French service. The other refractory islar submitted without much farther resistance.*

* Grand Indictment of the marquis of Argyle, with defences, 1661. James Turner's Memoirs, MS. Thurlow's State Papers, vol. i. p. 89, 1 Salmonet, p. 254.

THE

HISTORY OF SCOTLAND.

Book XIII.

Charles I.—Reports of his bad treatment create a strong sensation in his favour.—Proceedings of the Commissioners sent to England unsatisfactory.—The different parties in Scotland.—Parliament determines on War.—The Church averse to it.—Hamilton's project for gaining the Ministers.—Resolutions of Parliament; their demands of the English.—Their declaration.—Remonstrance of the Church against it.—Hamilton appointed Commander-in-chief.—People averse to the war.—The enlistment resisted in the West.—Insurrections in England.—Presbyterians negotiate with the King.—Hamilton enters England.—Joined by Langdale.—The army declared traitors.—Battle of Preston.—Hamilton taken prisoner.—General Assembly declare against the war.—Their supplication to the King.—Covenanters obtain the ascendency.—Insurrection in the West.—Proceedings of Monroe.—Covenanters invite Cromwell to their relief.—The Engagers submit.—Cromwell's reception at Edinburgh.—Negotiations between the King and English Parliament.—The Army overaw the Parliament.—The Commons declare the Supreme Power to be vested in the People.—Erect a High Court of Justice for trying the King.—His trial.—Execution.—Character.—Reflections.—Proceedings of the Scots.—Efforts to save the King.—They protest against the proceedings of the Commons.—Their applications to Fairfax and Cromwell of no avail.—Hamilton escapes from Windsor.—Is apprehended.—Defence.—Execution.—Character.—1648.—1649.

1. Rumours of the bad treatment of the king—of his being wantonly hurried from one place of confinement to another—of his being secretly assassinated—of his destruction being determined by the army of sectaries, were industriously spread by those who styled themselves his friends in Scotland; and they had in some measure answered their purpose, by irritating the passions of the nation against the English parliament, and interesting the popular feelings on the side of fallen royalty.

1648. Reports of the king's treatment.

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Hamilton endeavours to turn them to his purpose.

II. Hamilton, who had a strong personal attachment to Charles, which the ungrateful conduct of that monarch had not been able to subdue, was now engaged, in consequence of his repeated earnest entreaties, in preparing for war in support of the prerogative, by exciting and keeping alive the returning sentiments of affection towards him, produced by these daily reports. Representing the misfortunes of the king as the crimes of the sectaries, and not the consequences of his own misconduct, he depicted his imprisonment as a reproach on the loyalty of Scottishmen who had deserted him in the hour of distress; but whose honour required that they should wipe away the infamy of so base a charge, by a grand universal attempt for his rescue. The duke himself would have been inclined to moderate measures; but the men with whom he acted were violent, headstrong, and rash, and his own earliest prepossessions were in favour of the most unlimited claims of the king. His judgment told him—and he had repeatedly told Charles—that he was convinced they were wrong, yet he supported them; and, yielding to the impulse of his friendship, his weakness, which in private life might have been harmless, if not amiable, was productive of cruel and accumulated ills to his country. He had spread reports of the king's anxious and sincere desire to conciliate the Scots by any concession; and Traquair, on his return, confidently asserted, that his majesty had given full and entire satisfaction to the commissioners. By such means, the nation, who were dissatisfied with the English independents, were prepared to receive with open arms the agreement of the king to the covenant, and to rise as one man to effect his deliverance.

Seconded by Traquair.

III. Suspicions, however, began to be entertained; as all who arrived from the commissioners, while liberal in their general protestations, would not name any of the particular concessions. The ministers first sounded the alarm, and all the pulpits echoed with warnings against healing the wounds of the people deceitfully;* and when the commissioners came back in February, they found that their suspicions were well grounded. The concessions were unsatisfactory,

The commissioners return.

* Baillie, vol. ii. p. 280. Clarendon, vol. iii. p. 70. Rushworth, p. 982.

and the engagements on the part of the chancellor and Lauderdale, so different from what had been expected, that their friends, ashamed and grieved, were loudest in their exclamations against them. The committee of estates, and the commission of the kirk, met in Edinburgh, to receive these communications; and the chancellor, the day after their arrival, repeated to the committee the proceedings of their commissioners; he told them:—"that after their arrival in London, they delivered the message with which they were intrusted to the king—having first acquainted the two houses—who received it courteously, and informed them that he had been carried away by the army from Holmby against his will; but that the army allowed him greater liberty, and made more flattering promises, though, from their behaviour, he did not expect very punctual performance.* They then besought him, with all humility and earnestness, to give just satisfaction to the desires of the parliaments of both his kingdoms, that religion and peace might be settled, and himself restored to his rights and government. His majesty said, he had sent many messages to his houses for that end, to which he had received no answer; "yet," said the chancellor, he assured us, "that no contempt put upon him, nor personal suffering, should make him neglect any opportunity which might bring to his languishing kingdoms the blessings of a well grounded peace:" and thus ended the first interview. At their next, his majesty said, he feared they would find that party who were now most prevalent, intended the ruin of religion and monarchy, rather than the establishment of either; they in return, assured his majesty, that whatever might be the intention of others, the kingdom of Scotland had no design in their covenant-engagements with England, other than the reformation and preservation of religion, the honour and happiness of his majesty and posterity, and the peace and prosperity of the kingdoms; and that they would press the two houses to fulfil these engagements, and to restore his majesty to his just rights. And they did also instantly urge his majesty, that if they

Loudon's account of their proceedings.

* He was displeased because neither Cromwell nor Ireton were disposed to kiss his hand! Clarendon.

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should make their applications upon these grounds, he w
give them and the kingdom satisfaction; but if they sh
relinquish their covenant, break their treaties with Scotl
set up a toleration of all religions, cast off the king,
change monarchical government, yet they advised his
jesty to offer to satisfy the just desires of the people of S
land, especially respecting religion, which was the only
foundation of peace, and they were confident that the utr
endeavours and power of Scotland would be applied to
store his majesty to his just rights; "and more particu
ly," added he, "we pressed the confirming of the coven
the establishment of presbyterial government, and that
king would not admit of a toleration of all the abomin
heresies and horrid blasphemies now professed in Engl
under the notion of religion; and had long and earnest
bates with his majesty upon these heads; yet told him
we could not enter in any way of treaty or capitulation
his majesty by ourselves, without the joint concurrenc
the houses, unless they departed from their former pri
ples, and relinquished their conjunction with Scotland.

Continued.

ter our return to London, we received the propositions
same day that the king made his escape from Hamp
Court; but upon taking them into consideration, we fo
in them material alterations, and essential differences f
the former propositions, contrary to the ends of the co
nant, destructive of religion, the king and union of the
kingdoms; and in a meeting with their committee at De
House, desired that they would not give just cause of rese
ment to Scotland, by slighting their desires and just int
ests; but no entreaty nor persuasion of ours could pre
so far as to procure a meeting or conference; and when th
resolved to present their bills to the king without us, we w
forced, on behalf of the kingdom, to enter our dissent; a
finding clearly that the desire of the bills was to establish
law the power of the sword perpetually in the hands of t
army of sectaries, and to bind the subjects by a law to ma
tain and pay them, and to adjourn the parliament, to
moveable and to go where the army pleased, without settli
religion, or restoring the king; and only upon granting
these bills, they would enter on a personal treaty with h

king upon the remainder of the propositions:—by which propositions, they desire the establishment of toleration instead of uniformity, and breaking off that conjunction, which, by covenants and treaties, was bound up between the two kingdoms;—we conceived that we had more than reason to try what length the king would come for the preservation and settlement of religion, and for his own and his kingdom's safety." Here the lord chancellor, through real, or political indisposition, stopped in his narration, probably with the design of preparing his auditors for the communication of the articles, by exasperating their minds at the treatment they had received from the English parliament, and alarming their fears with the prevalence of sectaries and schism. In this he succeeded; but although he had roused their indignation at the insolence of the sectaries, he had not engaged their confidence on behalf of the king. When the conditions were unfolded in another excusatory speech, the committee divided, and the commissioners of the kirk were almost wholly adverse to the proceedings of the lords; each appointed some of their number to consult together, and their meetings were long, frequent, and discordant: nor were their discords healed by the deputation sent from the English parliament to that of Scotland, which came to reside in Edinburgh during their sitting, and to endeavour their good offices, for maintaining the relations of amity between the two nations.*

Not satisfactory.

IV. Before the parliament met, the parties of this distracted nation ranged under different leaders. THE COVENANTERS, who adhered to their original principles, and were headed by Argyle, to whom were joined Balmerino, Couper, Cassilis, Eglinton, Lothian, Arbuthnot, Torphichen, Ross, Burleigh, and Balcarras. These, supported by a part of the ministers, were attached to monarchy, but, unwilling that Charles should remount his throne without subscribing the covenant himself, and encouraging it in his kingdoms;

State of parties.

* They consisted of the earls of Nottingham and Stamford, Messrs. Ashurst, Stappleton, Godwin, and Birch; and Mr. Herle, and Mr. Marshall, ministers They had instructions to settle about the L.100,000 arrears due the Scottish army, and it was alleged, brought, besides, other equally cogent arguments to assist their negotiations. Marshall was not allowed to preach by the kirk commission, having preached at Berwick from Ezekiel xxi. 25, 26, 27. applying the passage to the king.

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and would rather have suffered uniformity in religion to have been interrupted by toleration, than civil liberty to be entirely subverted by an unsafe or unrestricted restoration—they were more inclined to bear with the sectaries, than to support the malignants.* THE POLITICAL PRESBYTERIANS, led by Hamilton, to whom were leagued Lanark, Lauderdale, and a majority of the nobility. These professed a greater zeal for the form of church government, and a more intolerant fury against independents; but they would have allowed the king and the episcopalians freedom in the full exercise of their religion, and were little anxious about securities against the abuse of a power, of which they expected to be the ministers; the moderate party in the church adhered to them—they abhorred the sectaries, and favoured the delinquents. And THE ULTRAS (to use an expression of the present day)—the friends of despotism; who cared as little for civil liberty as they did for religion—who insisted upon the king's being unconditionally restored to the throne; Traquair and Callendar were their chiefs. A part of the ministers were found to adhere even to these last, particularly Guthrie, Colville, Ramsay, and Fairfoul.†

v. Between the covenanters and the Hamiltonian party, the two grand objects of contest were the same upon which the king and the English parliament differed—the settlement of the church, and the power of the sword. Much time was spent at the private meetings of the principal leaders of the parties before the estates assembled, in endeavouring to accomplish an accommodation. Considerable difficulty occurred in shaping the first question—whether the king should be restored before he signed the covenant? which was at last evaded by an ambiguous resolution, "that religion and the covenant be first settled, and the king restored." The great struggle, however, was on the other, on

Attempt towards accommodation.

* Baillie, vol. ii. p. 282.

† Hamilton was ridiculously suspected by some of the Ultras of aiming at the crown himself. Montreuil communicated similar suspicions to the French court, with mischievous effect. In a letter to M. de Brienne, from Edinburgh, 21st March, respecting a project for sending the prince of Wales to Scotland, which Hamilton opposed, he says, "Le dit Duc me fit voir, qu'il pense bien plus à ses interests, qu'il ne fait à ceux de son maître."

which, indeed, the whole depended;—whether the malignants should be admitted to bear commissions in the army. It was perceived at once, that to allow this, was to suffer the military force to fall entirely into the hands of the king, and to relinquish the power of which they were possessed for a precarious prospect, even in case of success. Meanwhile, the pulpits resounded, and the commission of the church declared the concessions of his majesty unsatisfactory, and the employment of the malignants dangerous and sinful.*

Parliament meets.

vi. At length, on the 2d of March, 1648, the first session of the second triennial parliament was held; and by the management of Hamilton, a majority of the politico-presbyterians was obtained. This superiority was shown in the decisions upon contested elections, which, in the Scottish parliament, were tried by the whole house, and were all carried in favour of the Hamiltonian party; and likewise in the nomination of a secret committee—the committee of danger—intrusted with powers to watch over the safety of the kingdom, and to manage the public business; from this, almost all the covenanters were excluded, except Argyle, and one or two more, admitted at the particular request of Hamilton, who was anxious to have the sanction of their presence, while he took care to provide that their opposition should be ineffectual.†

Hamilton's party predominant.

The first subject that attracted their attention, was the declaration of the church commission, which they wished to suppress; but the ministers, who had ordered it already to be printed, appointed it to be read in all the churches next Sabbath, on the estates refusing to assure them that they did not intend to go to war with England.

Determine on war.

War, however, had been determined on, and the most unjustifiable methods were taken to commence it. Berwick and Carlisle were, by treaty, to remain without garrisons; but as they lay extremely convenient for protecting an inroad from Scotland, either by the east or west coast, the Hamiltonian party, who asserted that their march to England would be no invasion of the kingdom, but only an incursion against the sectaries in favour of the royal person,

Authorise the taking of Berwick and Carlisle.

* Thurlow, vol. i. p. 93. Baillie, vol. ii. p. 280, et seq.

† Thurlow's State Papers, vol. i. p. 93. Guthrie's Mem. p. 263. Acts of Scottish Parliament, vol. vi. p. 290, et seq.

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and the freedom of parliament, obtained a vote, authorizing their surprisal—against which, Argyle, Eglinton, Lothian, and about fifty others, protested; the earl of Loudon, on this occasion, joining his old friends.*

VII. The commission of the kirk, who were equally averse to war, expressed in private their dislike at the measure, and several of the other party endeavoured to persuade them to desist from any public opposition, promising that their desires respecting the non-occupation of Berwick, and the exclusion of malignants from the army, would be granted; but they were too well acquainted with the value of promises in that quarter, to be deceived by them; and to free their own consciences from innocent blood, and from the guilt of an unlawful enagagement, they presented to parliament a paper, entitled the desires of the commissioners of the kirk, requesting—"That the grounds and causes of the war might be shown to be so clear, that all who were well affected might be satisfied respecting the lawfulness and necessity of the engagement, and that no act of hostility should be undertaken until these were made manifest; that as the breaches of the covenant by the prevailing party of sectarians were evident, the parliament would, as required by treaty, particularly declare what are those breaches of peace which they take to be ground of war, that reparation thereof might be sought—that there might be nothing assumed as a ground of quarrel that could give offence to the presbyterian party in England, who continued firm to the covenant—that the popish and prelatical faction should be as little associated with as the sectaries—that his majesty's concessions respecting religion should be declared unsatisfactory, and his adherence to the covenant be had by oath, under his hand and seal—that for securing religion, only such persons may be appointed in the committees as had hitherto given

Opposition of the church.

Present their desires to parliament.

* Loudon afterwards professed his repentance for his lapse, and at the joint instigation of his lady, by whom the estates chiefly came into the family, and the ministers, he appeared upon the repenting stool, in his own parish kirk, with many tears confessed his error, and received a public rebuke, in face of the congregation, for his breach of covenant. Stevenson's Ch. Hist. vol ii. p 1226. Burnet's Mem. p. 337. Baillie's Letters, vol. ii. p. 286. Acts of the Scottish Par. vol vi. p. 290, et seq.

constant proof of their integrity and faithfulness in the cause —and that there should be no engagement without a solemn oath, wherein the church might have the same interest that they had in the solemn league and covenant, the cause being the same."

Which occasions a change of plan.

VIII. This vigorous opposition occasioned a delay and an alteration in the plan. Langdale and Musgrave, two English royalist leaders, who had attended Hamilton, and with whom they acted in concert at Edinburgh, having secretly collected their followers upon the borders, now seized upon these two garrisons as if of their own accord. Upon which, a commission to the committee of danger was immediately issued, to prevent any mischief that might arise to the kingdom, from the garrisoning of Berwick or Carlisle by malignants or sectaries; and, next day, an answer was returned to the kirk, apparently granting all their desires!* A conference was then appointed to be held between a deputation from the commissioners of the kirk and the committee of danger, to agree upon the grounds of an engagement, and to draw up such a state of the question as might unite the nation. When the commissioners met, they found dangers lurking in every line of the parliament's answer, which they conceived,—not unjustly,—to be worded with studied ambiguity, and in too general terms;† and having pointedly expressed their dis-

and a conference.

Which is broken off

* Acts of the Scottish Par. vol. vi. p. 290. Thurlow's State Pap. vol. i. p. 93. Baillie, vol. ii. p. 286, et seq.

† The entire and complete insincerity of all the negotiations carried on by the politico-presbyterian party, fully justifies the conduct of the covenanters, in refusing to unite with them. Lanark, in a letter to the king, informs him, that they had sent demands to the English parliament with the design of having them refused. "The first," says he, "is concerning religion, wherein we are very high and full; knowing it will be refused, and we thereby obliged to reason it." In a letter to a friend in London, he tells him, "We have presented to the parliament a large declaration, to be emitted to the kingdom, containing the breaches of covenant and treaties, the demands which upon them we mean to make to the two houses, and our resolutions in case of a refusal: I confess it is clogged with many impertinencies, to which we are necessitated, for satisfying nice consciences; yet it drives at a right end." In another to the king, respecting the declaration, he observes, "We have passed a declaration, which is full of many rude restrictions, both in order to your majesty, and your faithful servants; but we are forced to them for the satisfaction of the nice consciences of the clergy and their proselytes; whom we find still so inflexible, that nothing can persuade them to a conjunction with us in

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satisfaction, in a reply which they returned to the parliament, the conference broke off.*

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Hamilton's project to gain the ministers.

IX. Some of the more furious of the Hamiltonian party, were for resorting to strong measures, and committing the leading ministers to prison; but the duke, who was anxious rather to procure their concurrence in his designs, and knew their influence with the people, endeavoured to raise their jealousy about the sectaries, and their regard for the covenant, by proclaiming the predominance of the one as dangerous, and the breach of the other, as injurious and insulting. He, therefore, proposed a number of resolutions, which, after much debate, were carried in the parliament, enumerating all the breaches of covenant of which England had been guilty; "instead of reformation and defence of religion, they stated, that that reformation, which by the covenant, ought to be endeavoured, was resisted and hindered; instead of the extirpation of prelacy, heresy, and schism, these two last especially, although encroaching, and even offering violence to the rights, privileges, and authorities of magistracy, were preserved and tolerated. In the proposals of the army, episcopacy was hinted at; and in the new propositions, an almost unlimited toleration of heresy and schism was endeavoured to be settled, under which, most horrid blasphemies were openly professed. Notwithstanding it had been ordained that the solemn league and covenant should be taken by both kingdoms; yet, through the prevalent party of the sectaries and their adherents, this was not only laid aside, but, on the contrary, many persons of eminent and public trusts in the army, and in the country, had never either taken or been urged to take it;—the treaty was violated in sending bills and propositions to the king, not only without the consent of Scotland, but contrary to the express declaration of the Scottish commissioners. Notwithstanding the engagement of the houses, that none having warrant from Scotland should be debarred from acces

Resolutions passed by parliament against the English.

this work; yet, as we have carried the declaration, and all that is yet do against their strongest endeavours, so we hope, in dispight of them, to be struments in accomplishing the chief end it drives at, which is your majes rest and restoration." Burnet's Mem. p. 341, et seq.

* Rushworth, vol. vii. p. 1052.

to the king, yet the earl of Lauderdale, a public minister, was, contrary to the law of nations, debarred and publicly removed from Wooburn, where his majesty then was, and not suffered to have access to him, nor when reparation was desired by the estates, was there any given, and that they had laid claim to the sole disposing of the king's person in England. In consideration of all which, they conceived religion, the king, monarchical government, and the privileges of parliament to be imminently wronged, and in danger to be ruined; and that, if the army of sectaries and their adherents should still prevail, the kingdom of Scotland could not expect security from them, who had been the underminers and destroyers of religion, liberty, and the covenant in England."

x. This point gained, the party determined that these resolutions should be followed up by three categorical demands from the two houses at Westminster, of so extravagant a nature, that they knew they would not be listened to; and which they thought would, if refused, unite the original covenanters with them:—They were, 1st, That an effectual course be taken by the houses for enjoining the covenant to be taken by all the subjects of the crown of England, conform to the treaty and the declaration of both kingdoms, 1643, by which all who would not take the covenant were declared to be public enemies, and to be censured and punished as professed adversaries and malignants; and that reformation of, and uniformity in religion, be settled according to the covenant; that, as the houses of the parliament of England have agreed to the directing of worship, so they would take a real course for practising thereof, by all the subjects of England and Ireland; that the Confession of Faith, transmitted from the assembly of divines at Westminster to the houses, be approven, and the presbyterian government, with a subordination of the lower assemblies to the higher, be fully established in England and Ireland; and that effectual course be taken for suppressing and extirpating of all heresies and schisms, particularly socinianism, brownism, anabaptism, erastianism, and independencie, and for perfecting of what is yet farther to be done for extirpating popery and prelacy, and suppressing the practice of the service-book, commonly

Their demands from the English parliament.

called the book of English Common Prayer. 2d, That the king might come, with honour, freedom, and safety, to some of his houses in or near London; and 3d, That all the members sequestrated from parliament, who had been faithful in the cause, might be permitted to return, and that the army of sectaries under sir Thomas Fairfax should be disbanded. These demands, which were worded to meet the opinions of the covenanters, and to which it was supposed they could form no objection, were communicated to the ministers.

XI. There was, however, too plain an overacting of the part, to produce other feelings than those of distrust; while the number of ultras—that party which had been the source and support of all the miseries Scotland had suffered—who flocked to Edinburgh, kept them constantly upon the watch; and when they saw the readiness with which they were received and encouraged, they could not give unlimited credit to the language now adopted by the Hamiltonian faction. Sincere themselves in their attachment to the cause which the covenant was intended to support, the most discerning among them dreaded less a forbearance with pious sectaries, than an alliance with profligate malignants. Although they could not, therefore, find direct fault with what the demands contained, they expressed their dissatisfaction at what was omitted; the taking of the covenant, and the practice of the directory, they remarked, were pressed only upon the subjects, while the king and his household, who were equally bound, stood exempted; nor was there any thing said about any application being made to the king for obtaining his consent to the act, should the two houses comply.

Not approved by the covenanters.

XII. In spite of all opposition, the estates proceeded in the warlike measures; passed an act for putting the kingdom in posture of defence, for enrolling all the fencible men, under pretence of preserving the peace of the country against malignants and sectaries, the Hamilton party determined to raise an army to invade England. They, in the mean time, sent off their demands to the English parliament, and required an answer in fifteen days; and published a declaration to the nation, in which they embodied the substance of their resolutions, with the most bitter and extreme intolerance, expressed in favour of presbyterianism:—

Warlike preparations.

1648. Declaration of parliament.

pocritically wailed over the sinful and dangerous violations of the solemn league and covenant, before God, angels, and men, by the prevalent party of the sectaries and their adherents, and the danger in which it was of being entirely destroyed or laid aside; and in the same spirit, asserted, if they should be forced into a war, through the influence and power of the sectaries inducing the two houses to refuse acceding to their just demands, yet, they resolved, that as the engagements of the kingdom had been constantly, hitherto, for settling truth and peace under his majesty's government, so they should still be for obtaining the same ends; and that they would be careful in the management and carrying on of so pious and dutiful a work, that they should not enter into association and conjunction of forces with those who should refuse to swear and subscribe the solemn league and covenant;—so far from joining with either popish, prelatical, or malignant party, if they should appear in arms to obstruct any of the ends of the covenant, they would endeavour as rigidly to suppress them, as enemies to the cause, as they would sectaries; and they solemnly averred they would give trust in their committees or armies to none but such as were of known integrity, abilities, and faithfulness to this cause and covenant, and against whom there could be no just cause of exception. And having found his majesty's late concessions and offers concerning religion not satisfactory, they declared their resolution, before any agreement should be made with him, that his majesty should give assurance by his solemn oath, under his hand and seal, that he should, for himself and his successors, give his royal assent to such acts of parliament as should be prescribed to him by the parliaments of either or both kingdoms, for enjoining the league and covenant, and establishing presbyterial government, Directory of Worship, and Confession of Faith, in all his majesty's dominions.*

XIII. This declaration, which Lanark was endeavouring to excuse to the king as never intended to be put in execution,† was viewed by the commissioners of the church, exactly as

* Acts of the Scottish Parliament, vol. vi. p. 308.

† Vide his Correspondence in Burnet's Memoirs, and as quoted, p. 307, Note.

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Remonstrance by the church.

it was intended, a mere blind; and they gave into parliament a representation against it, remarkable, not less for its liberality than its wisdom:—They particularly noticed the favour into which malignants, who were the first occasioners of trouble to the kirk, were now received, and reminded them, that if the covenant had been broken by sectaries, it had been broken by malignants both at home and abroad, and that true zeal would strike both ways. As to the covenant being omitted to be pressed on the king by the English parliament, that was also done in the desires sent up to his majesty from the commissioners of the estates of Scotland. And as for the general taking of that bond, it had been done by the representatives, and time might bring the rest to consent, which they might the more reasonably expect, as the ministers in the several counties of England had expressed themselves strongly in its favour. Although lord Lauderdale had been denied access to his majesty by some of the soldiers, the general had disclaimed the act, and his lordship had afterwards been frequently admitted. And whether the English parliament's sending bills to the king for his consent without Scotland's concurrence, was a breach of treaty, was very disputable, considering that Scotland had not only debated, but would have agreed with the king, at Newcastle, without England. As to the demands sent to the English parliament, they could never consider the not assenting to them justifiable grounds of war:—1st, Because while they desired all who had not taken the covenant in England to be declared public enemies, they had not themselves proceeded in that manner with those in Scotland who had not, even up to that day, taken it; they do not approve of its being peremptorily required that the Confession of Faith, sent from the divines at Westminster, be approved, but cautiously; and, in fine, it was their opinion, that uniformity in religion should be endeavoured in fair brotherly ways, and not, as now, by the parliament's declaration, into causes of war. 2d, They desired that there might be no engagement by war to restore his majesty to one of his houses, with honour, freedom, and safety—which was restoring him to the unrestricted exercise of his royal power—until he consent to give security, that the late proceed-

ings in both kingdoms, with regard to religion, shall neither be called in question, nor rescinded: to act otherwise, would be to demand the disposal of his majesty's person in England by Scotland; and this would be considered by all parties in England, as so prejudicial to the national rights, that all would unite against it. 3d, As to the disbanding of the army of sectaries, they do think no persons ought to be intrusted with arms who have not taken the covenant, and, therefore, they would wish all sectaries in England disarmed; yet they conceive it absolutely necessary, that there should be some force to resist the prelatical and malignant party, especially, as some had already appeared in arms, in several places, both in Ireland and in Wales, who have discovered their intentions to be exceedingly malignant; and besides the countenance and encouragement given by themselves to the English malignants, would operate to retard and hinder that desirable event.*

XIV. What rendered the dissension between church and state, or between the covenanters and the engagers, complete and irreconcilable, was the nomination of the commanders for the levy. Leven had resigned in disgust, pleading the infirmities of old age; and David Leslie, who was appointed major-general of the horse, refused to act, unless the church were satisfied; a hollow show of negotiation had been carried on between Argyle and Hamilton, which induced a belief that some compromise might take place; but when the latter was nominated commander-in-chief, and the earl of Callendar his lieutenant-general, there no longer existed any doubt respecting the invasion of England, or the ruin of the expedition. Still Middleton and the troops under him had stood firm; when, however, he also was persuaded to accede, the covenanters perceived that they had lost the army, and that there remained only to them the thunder of the church.

Hamilton appointed commander in-chief.

XV. The declarations of the parliament were met by the representations of the commission; and while the officers of the state were pressing men into the service, the ministers were preaching against the lawfulness of the engagement.†

* Rushworth, vol. vii. p. 1114, et seq. † Baillie, vol. ii. p. 293.

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The people averse to the war.

Means for raising the army.

Tumult in Clydesdale.

Several synods, burghs, and shires petitioned that might not be put into execution till the church wa but the faction, who carried all before them, woul no delay. They ordered that their enactment carried into effect with the utmost rigour, and highest penalty, and adjourned from May 11th to in order to urge forward the conscription. Bu were extremely backward and unwilling to enlist; out all Scotland the levies went on slowly; in the people were with difficulty restrained from a gene and recruits were dragged by force to the stand engagement. A species of military execution wa upon Glasgow; six regiments of horse and foot w that city, with orders to quarter on the magistrate session, and their friends, which were punctually fu some ten, on others twenty or thirty were billeted, sides meat and drink, wine and good cheer, ex pay, and even more. In ten days they cost a few, not the richest of the inhabitants, upwards of fifty pounds Scots, besides plundering.*

XVI. In Clydesdale, the disposition to rise wa neral, and had any leading men in that quarter ward, the majority of the population would have Callendar and Middleton, to prevent any serious c were sent instantly west, and on Monday, June 1 rendezvoused at Stewarton sixteen hundred h about ten thousand foot. The noblemen and ge the shire of Ayr, who had had a committee meeti carton on the Saturday, respecting the course the pursue, learning that Fife remained tranquil, th had gone to Inverary, and that a large force had the neighbourhood, determined to lay aside all th resistance, and as a number of the Clydesdale m communicate at Mauchline next day, sent notice their determination. The assemblage, however, disperse; but after sunrise, on the morning of Mo mustered on Mauchlin-moor about twelve hund eight hundred foot, and eight ministers. While i

* Baillie, vol. ii. p. 294.

of choosing officers, Middleton made his appearance with the advance, and the ministers, to prevent bloodshed, immediately went up to him;—a capitulation was, in consequence, entered into, by which the whole were allowed quietly to disperse, except such as had been appointed soldiers, and refused to join. When the ministers returned, and informed the crowd of this agreement, the greater part of those who belonged to Kyle and Cunninghame went home; but the recruits, joined by the Clydesdale men, stood out. After remaining nearly an hour in parley, Middleton ordered his horse to charge, and the greater part fled; a few however took possession of a bridge, and disputed the passage stoutly: nearly forty fell, nor were they dislodged, till Callendar arrived with the main body. Angus, Mearns, even Roxburgh and the south were similarly agitated, although no such sanguinary meetings took place; but the disputes prevented the levies from proceeding with alacrity, and the only opportunity, when a Scottish army, if properly directed, might have entered England with some probability of success, was allowed to pass.

Effects of the Scottish movements on the English.

XVII. The first rumours of dissatisfaction in Scotland, filled the king's party in England with the most sanguine expectations; and all who were left discontented at the conclusion of the last war, looked forward to the movements there, for enabling them to recover what they had lost in the struggle, or acquire what they had been disappointed in gaining. The presbyterians expected, by the return of their troops, to resume the ascendency they were forced to resign at their departure, and the parliament hoped to shake off the yoke of the sectarian army. The more forward ultras proceeded to action; but a total want of concert in their insurrectionary attempts rendered them abortive, and enabled the energetical, well directed operations of a small sectarian force to quell them almost before the engagers were prepared to take the field.

Encourage disturbances there.

XVIII. For some months, they agitated the whole country. In London, the apprentices rose and declared for king Charles, then forced the lord mayor to seek refuge in the Tower, nor were they put down without considerable bloodshed. The Surrey men presented a petition of similar import to parliament, but, unluckily, attacking the guard, were

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defeated and dispersed also with some loss. A more formidable insurrection in Kent and Sussex, which was headed by Goring, now earl of Norwich, sir Charles Lucas, and lord Capel, required the presence of the general, Fairfax, himself. In Wales, Langhorn, Powel, and Poyer, who had served the parliament, being ordered to disband, rather than comply accepted commissions from the prince, and raised the royal standard; these were defeated by colonel Horton in the field, and finally subdued by Cromwell, who took Pembroke castle. Glenham and Langdale kept Cumberland and Westmoreland in restless agitation; they were held in check by major-general Lambert, who prevented them from becoming formidable, and watched the advance of the Scottish forces. While these disturbances demanded the presence of the army, and occupied the attention of its commanders, the English parliament was freed from the influence of that body, and the number of officers who were required to join their regiments—for after the battle of Naseby the self-denying ordinance became a dead letter—restored to the presbyterian interest once more a preponderance. The prosecutions against the secluded members were then dropped, and they were recalled to their seats; the militia was restored to the city of London, the vote for no more addresses rescinded, and negotiations recommenced with the king.

Presbyterians gain the ascendency—negotiations opened with the king.

XIX. At length the reluctant Scots were forced into the field, and Hamilton, with an ill-equipped, ill-disciplined, dissatisfied host entered England by the west border; their numbers, including about four thousand horse, amounting to nearly fifteen thousand men. They were followed, in a few days after, by two thousand foot, and one thousand horse, who had arrived from Ireland, under the command of Monroe, but were wholly destitute of artillery. Nor did the talents of the officers compensate for the deficiencies of the troops. Hamilton not only wanted capacity for regulating the movements of an army himself, but, likewise, that promptitude of acting according to the suggestions of others, which tended to disqualify him equally for directing or being directed. Callendar, who had been bred in the Dutch service, had ingrafted their mulish obstinacy on his

Hamilton enters England.

native pride, and constantly thwarted every proposal that did not originate with himself; Middleton had activity, but was only fitted for irregular warfare; and Baillie, lieutenant-general of foot, was one of the continental tacticians, whose military knowledge was ill adapted for meeting the bold and rapid manœuvres, now, by the genius of the English generals, introduced into modern warfare. BOOK XIII. 1648.

xx. A total want of decision characterized this expedition; a natural consequence of the duplicity and hypocrisy upon which it was founded, and of the temporizing politics and wavering disposition of their chief.* No party was sincere, and no party trusted the other. The ultras—although those to whom the duke was certainly the most attached—were not admitted to join the army, because they refused the covenant, but they acted in concert with him; while the presbyterians—the natural allies of the engagers in the contest, had the professions of their leaders been without dissimulation—were rather shunned than courted. For a month the troops lay inactive in the north; there they were joined by Langdale's force, consisting of four thousand foot, and about eight hundred mounted, who, to keep up appearances, remained always a day's march in front of the Scots; but they received their orders from the duke, and their conjunction was considered so complete, that all parties in England, presbyterians and sectaries, united in proclaiming the whole force traitors, covenant-breakers, and malignants.† Joined by Langdale. Declared Traitors, &c.

xxi. After garrisoning Carlisle, Hamilton remained in Westmoreland, apparently without an object, till famine obliged him to proceed; and then, instead of advancing through Yorkshire, as Baillie advised, where he would have found a friendly population, he marched into Lancashire, on the representation of Callendar, that it would be better to Advances into Lancashire.

* The duke entered England in great state. "He marched himself in the van of the Scottish army, with his trumpeters before him, all in scarlet cloaks full of silver lace. With the duke did march a life guard of Scottishmen, all very proper, and well clothed with standards and equipage like a prince. In the van of the army marched four regiments of horse, seven colours to a regiment—the foot had ten colours in their regiment." Rushworth, vol. vii. p. 1198.

† May's Breviary, p. 193. Hutchison's Mem. 4to. Ed. p 285.

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exhaust a hostile than a friendly country,* leaving Monroe, who would not act under Callendar or Baillie, at Kendal, with his troops—the best in the whole army—to wait the arrival of the cannon from Scotland; but with instructions, in case of the main body's being attacked, to fall back upon Appleby castle, or Carlisle, and secure himself till further orders.† Langdale, whose corps formed the advanced guard, was entirely trusted with procuring intelligence, while his own cavalry were spread over the country in search of forage. In this manner, the expedition advanced as three separate divisions, without proper communication with each other, and without a plan.

Battle of Preston.

XXII. At Preston, they first learned that Cromwell, who they supposed to be still in Wales, had effected a junction with Lambert; and such was the insubordination or indecision of the officers, that although Langdale, who was attacked by surprise, and maintained a contested action in the neighbourhood of that town upwards of four hours, repeatedly sent pressing messages for support, yet the Scottish army remained immovable at a very short distance, and allowed him to be forced into the town before any of them joined; and then, only a few horse, with the general, came to share in his defeat. Driven by the sectaries from the streets, still the bridge was tenable, and the number of the allies double; but dislodged from this also, they abandoned their ammunition in despair, and commenced a disorderly retreat in the night, pursued hotly by inferior numbers. At Wigan, they only stopped till the English army advanced, and next morning, continued their flight to a pass near Warwick, where they halted, and turning on their pursuers, defended the place for several hours; a furious assault from the whole of the enemy, drove them from their station in disorder to Warrington; there the foot took possession of the bridge,

Langdale defeated.

* Burnet's Mem. p. 361. Yet it is strange that Lancashire, one of the counties which had adopted the presbyterian model, should have been adverse, had they considered Hamilton hearty in the cause; but they knew his professed attachment to the covenant was hypocritical, and, therefore they were inimical. They ranked him among the malignants; and justly, taking even the testimony of his own partial biographer.

† Burnet's Mem. p 358.

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but being deserted by the horse, lieutenant general Baillie, their commander, capitulated to Cromwell, and they delivered up their arms on condition of having their lives spared. The duke, with the remainder, about three thousand horse, retired upon Utoxeter, where, jaded and worn out, they sought refuge from the revenge of the countrymen, who, exasperated at their licentious conduct on the march, destroyed their stragglers wherever they fell in with them; and the county militia, who were attached to the parliament, at the same time assembling, cut off about five hundred prisoners. According to Cromwell's despatch, the numbers engaged in this battle, were—Scottish, about twelve thousand foot, and five thousand horse; English, under Langdale, two thousand five hundred foot, and fifteen hundred horse, in all, twenty and one thousand. Of these, about two thousand were slain, and eight thousand six hundred prisoners. The army that defeated them, were not estimated at more than the killed and prisoners.*

Baillie capitulates.

Hamilton retires to Utoxeter.

* The royalists in England, to whom Hamilton's overthrow was a severe disappointment, vented their chagrin in invectives against Oliver Cromwell's nose, which seems at this date to have been a very obnoxious member of the commonwealth. "Nothing," says one of the Ultra journalists of that day, "is heard among the brethren but triumph and joy, singing and mirth, for their happy success—thanks to the devil first, and next to Noll Cromwell's *nose!*—against the Scots, whom they vaunt they have beaten to dust, the truth is, even duke Hamilton himself was corrupted with money. Why else did he deliver five thousand foot and two thousand horse unto the command of major general Baillie, a sworn servant to the kirkmen of Scotland, who surrendered them all up into the hands of Cromwell, without striking one stroke? The Scots army is totally routed, so great are our sins, and so fierce is the wrath of the Almighty against us. Duke Hamilton, being besieged in the town of Utoxeter, was forced to yield himself and the small handful with him; and, as if the devil got the sole sway of mundane affairs, the most valiant and heroic knight, sir Marmaduke Langdale, was unluckily surprised, with some other worthy loyalists, as they were sitting in a blind ale-house, where they supposed themselves secure, and carried prisoners to Nottingham castle. Munro, one of the best soldiers in Christendom, is coming on with a powerful army to give Noll Cromwell another field fight; he hath sent orders to the estates of Scotland, imploring them for a recruital both of men and money, which they have ordered him; the renowned earl of Callendar with some troops of horse is escaped to him, with whom he hath united his remnant. If Cromwell can shatter this army also, he will prove himself one of the most fortunate villains that ever acted mischief; but he will find hard play here, for these will not be bought out of their loyalty, or frightened out of themselves with the *blazing of*

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Surrenders.

XXIII. His Grace was speedily blocked up in Utoxeter, by a body of the county militia, who amused him with a treaty for capitulating, till Lambert came up and secured him. Callendar, however, with about one half, refusing to await the issue of his general's timid and irresolute negotiations, broke through the enemy and escaped. Thus was destroyed an army, which, managed with common prudence, might have effected the object for which it was pretended to be raised; but which was rendered useless, and eventually ruined by a junction with the cavaliers, to whom, by their own declarations, the leaders were in sentiment utterly opposed. When the engagers entered England, Cromwell was occupied in the siege of Pembroke castle; and Fairfax, who was friendly to the presbyterians, was employed in that of Colchester. Had they then issued a declaration, that they meant to liberate the parliament and the king from the thraldom of the independents, and followed it up by a rapid march through the counties attached to their cause, direct to the capital, and cordially coalesced with the two houses, all was in their favour; but their irresolute conduct, the flagrant irregularities of the army, and the more than suspected principles of the commanders, exasperated the people, and allowed their opponents time to concentrate and overwhelm them.

Causes of the failure of this expedition.

XXIV. Hardly had the fatal expedition marched, when the general assembly sat down,—July 12th. Their moderator was Mr. George Gillespie, whose distinguished talents were universally known and respected; but who laboured under the double disadvantage of ill health, and an imputation of being favourably inclined to the sectaries.* Their princi-

General assembly.

his beacon nose."—Parlt. Porter, August 28th to Sept. 4th, 1648. In the Merc. Pragmat. he is always designated *Ruby Nose.* In the Merc. Elenct. the army was made to march "*by the lighting up of the glow worm on Neil's nose.*" And in relating a conversation he is said to have had with the duke of Glouster, when the prince refused to be put apprentice, the conclusion is thus given:—"*Almighty Nose* makes answer, 'Boy, you must be an apprentice; for all your father's revenue would not make holy satisfaction for the wrong he hath done the kingdom;' and so *Nose went out blowing.*" Merc. Elenct. February 21st to 28th, 1649.

* The proceedings of the covenanters in this assembly have been much misrepresented. Those who really adhered to the covenant would have forbore

pal business was political. The committee of estates hoped to prevent them from approving of the proceedings of their commission, especially as they had procured the absence of the leading lay members, Argyle, the chancellor, and Warriston, and had accused the commissioners of such misdemeanours, as rendered them incapable of voting in the assembly, until they were exculpated; but notwithstanding, their conduct was unanimously approven, and their judgment respecting the unlawfulness of the engagement confirmed. At which, the committee, highly dissatisfied, desired to know what the assembly would require for securing religion?—the assembly answered, the repeal of the unlawful engagement; and, that the popish, prelatical, and malignant parties, should be declared enemies to the cause, as well as the sectaries; that all association with their forces or councils should be avoided, and that the management of the public affairs, might be intrusted to men of undoubted and unimpeachable integrity, whose conduct had given no just cause of exception or jealousy, and, at the same time, repeated the demands of the commission. To this the committee replied, craving scripture for the unlawfulness of the en-

Approve of the remonstrance against the war.

with the sectaries, and even with the erastians, for the sake of obtaining substantial security for themselves; but the death of Gillespie, who bade fair to succeed to all the influence of Henderson, was a most unfortunate circumstance for the cause of toleration in Scotland. He evidently divided the assembly, and carried a majority, for which Baillie appears to have borne him a grudge. James Guthrie, who was afterwards executed for the cause, was of similar sentiments. Baillie complains, that "his [Gillespie's] draught [of the declaration] was wanting of that which he thought the chief thing; a sharp complaint against the sectarian army, and the parliament's negligence [in this] to perform their part of the covenant." Here it requires to be remembered, however, that the covenanters, like all other public bodies, that ever existed, were liable to be influenced by their different leaders; and, like them, liable to the charge of occasional inconsistency. Their ruling principles of love to religion and liberty never changed, but their concessions to sectaries varied, and would have been much more in consonance with true christian principles, but for the affected zeal of those political hypocrites, who afterwards endeavoured to stigmatize them as fanatics and dissemblers, and who, by an incessant repetition of their slanders—the more furiously repeated, the more clearly they were refuted—have contrived, among those who do not choose to examine, to shift from their own shoulders the charge of hypocrisy, of which they stood doubly guilty. Stevenson's Ch. Hist. vol. iii. p. 1260. Baillie's Letters, vol. ii. p. 299, et seq. Printed Acts, 1648. Rushworth.

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gagement, and for their meddling with matters of war an peace. The assembly justified themselves in a declaratio concerning the present dangers of religion, and especiall the unlawful engagement in war against the kingdom o England:—"Our witness," said they, "is in heaven, and on record on high, that we do not this from any disrespect t the parliament, whom we have honoured, and will ever ho nour, and also obey in all things which are agreeable to th word of God, to our solemn covenants, and to the duties o our callings; nor from any disloyalty to the king, or any contentious humour about light or small matters, but from conscience of our duty when the glory of God, and the peace and liberties of the kirk are encompassed, and almost over whelmed with great and growing dangers." They lamente the manner in which the army was raised, and the materia of which it was composed; the unprincipled character of th soldiers—arising from the admission of papists, Irish, non covenanters, malignants, and men under church discipline— who, in forwarding the levy, had "used horrible extortion o money, and great spoil of goods, singling out those for th objects of their oppression who were known to have petition ed parliament against the engagement, or to make conscienc of the worship of God in their families; and, as though th war had been against God himself, the Sabbaths were ne glected and profaned by riot; ministers and people impede in coming together, divine worship in many places disturb ed, the preachers insulted, and the hearers dragged to th rendezvous." They complained "that the desires of the kirk for the safety and security of religion had been entirely ne glected in the engagement; and if God's glory be intended," they asked, "what meaneth the employing and protecting in this army so many blasphemers, persecutors of piety, an others, guilty of notorious and crying sins?—or how can i be pretended that the good of religion is principally aime at, when it is proposed that the king's majesty shall b brought to some of his houses, in or near London, with fre dom, honour, and safety, before ever there be any securit had from him, or so much as any application made to hi for the good of religion? They considered themselves, ther fore, called upon to declare the many clear and full testim

Their declaration

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Against the engagement.

ies of scripture against the violation of covenants; and that he engagement was a direct breach of the solemn league nd covenant, was evident from the neglect by the engagers f every article in that treaty which regarded the reformaion of religion in England and Ireland, of which there was ome hopeful beginning, and for which a good foundation ad been laid: also, when, instead of endeavouring to preerve peace and union, a breach is endeavoured between he kingdoms, not only in taking in and garrisoning their rontier towns, but, likewise, entering the kingdom of Engnd with an army, and, joining with the common eneies of both kingdoms. They could not, in these circumtances, without involving themselves in the guiltiness of so nlawful an enterprise, send ministers to attend the army." ut they entreated "all and every one of the members of this eformed kirk of Scotland to search narrowly into the sins hich have procured so great judgments and so sad an inerruption of the work of God; and if the breach of covenant, even in meaner things, provoked the Lord to say, Behold, I proclaim a liberty for you, to the sword, to the estilence, and to the famine, and I will give the men that ath transgressed my covenant—not excepting, but expressly mentioning princes—I will give them into the hands f their enemies:'" then they added "let all the inhabitants f the land seriously ponder how terrible judgments the iolation of a covenant so recently, so advisedly, so solemnly ade, and in so weighty matters, may draw on, if not timeously prevented by speedy repentance." And they very aturally finished with an exhortation to the people to beare of all oaths and bonds, which may relate to the cause f God, unless they be approved of by the general assembly, r their commissioners; to the ministers to be in no ways ccessory to the sinful engagement; and to all civil judicaries, and every one intrusted with power, to consider as ey should give a strict account before the Judge of the ick and the dead, how fearful a thing it is to oppress the nsciences of their brethren, by forcing them to comply th what they are convinced is sin, or by treating them th severity for not obeying such injunctions.

XXV. The assembly likewise sent a supplication to the king,

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in a strain suited to the seriousness of their character the extremity of the case. They told him,—"Altho through the suggestions of evil men, he might entertain thoughts of them and their proceedings, yet they could peal to the Searcher of hearts, who knew that they bor on their spirits those humble and dutiful respects for his jesty that loyal subjects owed to their native sovereign; that one of their greatest enjoyments upon earth woul to see him reigning for the Lord, in righteousness and p over these nations. They sympathized with his presen condition and treatment, of which they expressed their horrence; yet reminded him, that it would be his wis in this, as in all that had befallen him for some years to read the righteous hand of the Lord writing bitter th against him, for all his provocations; especially for resi the Lord's work, and authorizing, by his commissions, shedding the blood of his people, for which it was high to repent, that there might be no more wrath against and his realms. They regretted that his concessions unsatisfactory, and inconsistent with the league and c nant; and warned and besought him, as the servants of most high God, and in his name, that he would not new guilt upon his throne, and make these kingdoms a a field of blood, by owning the engagement, which ha ready been the cause of so much sorrow and suffering t people of God in Scotland. Disappointed in persua parliament to solicit his majesty, they now themselve treated him to suffer himself to be possessed with thoughts of the league and covenant, and of the proceed of his loyal subjects in regard to it, and give his assent enjoining the same in his dominions; and if, after so m dear bought experiences of the dangers of evil counse would now be so wise as to avoid it, and hearken to t supplication, they were confident, by this means, he m yet be restored to his former greatness, and a sure and peace secured." They took this, their last admonitory le in a deep and grave tone of earnest expostulation, w might well recur to the misguided king in the few cl months of his eventful life. "We take it as a great mer are the concluding sentences of the supplication, "and

to disown that transaction.

a door of hope, that God still inclines the hearts of all his servants to pray for your majesty; and we would not have your majesty to look upon it as a light thing that you have been preserved alive when many thousands have, by your procurement, fallen on your left hand. God forbid that your majesty should any longer despise the word of exhortation, the riches of his gracious forbearance and long-suffering, not knowing that the goodness of God leads you to repentance. For if your majesty do so, as we are afraid! all the counsels and endeavours for your majesty's re-establishment shall be in vain, and without success, because of the wrath of the Lord of Hosts, who brings down the mighty from his throne, and scatters the proud in the imaginations of their hearts. So shall we mourn in secret for it, and for all the miseries that are like to come upon your throne and your dominions, and comfort ourselves in this, that we have delivered our own souls."

1648. Their farewell admonition.

XXVI. Amid all their distractions and distresses, it deserves to be recorded, to the honour of this assembly, that they did not forget to provide for the instruction of the country, especially the barbarous districts; they approved of an overture, that forty highland boys of a good genius, and approven by the synod of Argyle, be put to schools, and trained up in learning, and that every parish should pay forty shillings Scots yearly, for their maintenance; but they never possessed power to carry it into execution; and twenty years after, when the south and the west were desolated by the savages from the hills, the presbyterians of the lowlands acknowledged that their sufferings at their hands were a merited punishment for having delayed to provide for the instruction and civilization of the neglected mountaineer.

Their plan for instructing the highlanders abortive.

XXVII. The proceedings of the assembly were highly resented by the committee of estates, who, in prospect of Hamilton's success, threatened to suppress the commission of the kirk, as a judicatory sub-established by law; and to bring the most conspicuous of the ministers to account for their opposition. In return, the ministers separated equally displeased with the committee; afraid of their resentment, irritated at their threats, and anxious about the progress of the duke's army, which they deprecated as a misfortune to

Separate on bad terms with the estates.

ıe country; "for though there was among them much pre-
ended zeal for the end of the covenant, uniformity of reli-
gion, suppression of vice, and the like," "yet the greater
pretence," said they, "made of religious ends, to varnish and
paint over malignant designs, the more hateful are these un-
to God, and unto good men;" and even Baillie himself—
who was a trimmer in his politics—although he "wished
that the cursed army should evanish in smoke, and their
friends in the houses, city, and country, be brought to their
well deserved ruin; and that the king and his family should
at last be in some nearness restored to their dignity and for-
mer condition"—"feared that his restitution should come by
these hands, and be so ill prepared, that the glorious refor-
mation the nation had suffered so much for, should be en-
dangered."

Covenanters obtain the ascendency.

XXVIII. Nor were they suffered long to remain in sus-
pense—they rose on the 12th of August; on the 17th,
18th, and 19th, the supporters of the engagement were irre-
mediably discomfited, and the covenanters in turn became
lords of the ascendant. When the duke's army entered
England, the nobles who had protested against that mea-
sure, commenced a new levy to withstand the engagers, in
case of their being successful, and attempting to re-establish
the king with unlimited power upon the throne. The minis-
ters, who had threatened with excommunication all who
abetted the engagement, encouraged them; and, at this time,
started a doubt, how far it was lawful to pay money voted by
a faction in parliament—so they denominated the ruling
party*—for the purpose of carrying into effect an unlawful
engagement, in opposition to the sense of the majority of th
nation; the committee of estates, in return, denounced
rebels all who would not swear to support the whole of
acts of the late parliament; while the people remained
certain whom to obey, distracted between the executio
the state and the terrors of the church. But, as so
the news of the disaster reached Scotland, they w
garded as the voice of providence, and the western c
which had with difficulty been kept quiet, broke

* Baillie, vol. ii. p. 506

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open insurrection; the earls of Eglinton and Cassilis heading those of the low country, and Argyle and Loudon directing the highland districts. Upon hearing of these movements, the committee of estates at Edinburgh collected the few troops remaining in the country as a guard, and nominated the earl of Lanark commander. Had their only danger arisen from the tumultuous assemblage, this might easily have been met, but the advance of the victorious sectaries was much more to be dreaded; an express was therefore despatched to recall Monroe, and Lanark marched south with all the forces he could muster, to join him; the road being thus left open, the westlanders proceeded to Edinburgh, and the committee of estates withdrew—This was called the whigs' road.*

Insurrection in the west.

Estates recall Monroe.

XXIX. Monroe, during the advance of the duke, had remained at Kirkby Lonsdale, with the Scoto-Irish forces, where he received intelligence of Cromwell's approach. When that general had reached Skepton castle, in Yorkshire, which being equidistant from his quarters and Preston, he, dreading to be attacked while unsupported, retreated to Appleby, and sent notice to Hamilton, who either never received or disregarded the information. On learning, however, that Cromwell had taken the road to Preston, he returned to his former station, where he kept his horse and foot night and day in readiness; but he received no orders for his direction. Two days after, his patrole upon the Preston road, were early in the morning unexpectedly alarmed by the confused noise and trampling of horse at a distance; it was the scattered rear-guard of the duke's army, bringing intelligence of his defeat. Monroe entreated them

* Kirkton's Hist. p. 46. Burnet calls it the Whiggamores' inroad, and thus gives the derivation of the term:—"The south-west counties of Scotland have seldom corn enough to serve them round the year and the northern parts producing more than they need, those in the west come in the summer to buy at Leith the stores that come from the north, and from a word Wiggam, used in driving their horses, all that drove were called Whiggamores—shorter Whiggs."—Hist. vol. i. p. 58. The name has also been derived from Whigg—the whey of butter-milk—"the poorest of kitchen;" which the covenanters were said, in their distress, to be happy to procure, and were thence, in derision, called Whiggs. The term was afterwards more honourably applied—it were devoutly to be wished it had never been assumed by worse subjects.

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to remain with him;—they were about fifteen hundred horsemen—but they refused, and proceeded to Scotland, spoiling and plundering as they passed, and rendering the country more hostile than ever to the unfortunate stragglers, who afterwards sought to escape. He then, on ascertaining the full extent of the misfortune, retired by the east road,* with the intention of setting fire to the coal pits at Newcastle; but on his march received the orders from the committee of estates for his return. At Haddington, he was met by the earls of Crawford, Glencairn, and Lanark; and when the forces were mustered at Gladsmuir, they amounted to three thousand horse, and two thousand foot. With these Monroe proposed to attack the west country whigs, who were now modelled into a regular army by David Leslie and other officers who had refused the engagement; but the committee of estates having already entered into a negotiation, and agreed to a cessation of arms with the other party, would not consent.† Disappointed in this, he, in concert with Lanark, made an insidious attempt to regain for the engagers the command of the country.‡ He set out with his troops to obtain possession of the pass of Stirling, in order to prevent the junction of Argyle with the other associated lords, while Lanark proceeded to Perth to endeavour to raise an army in the north. On his march, he had nearly surprised Cassilis at Linlithgow, who made a hasty retreat to Borrowstownness, and thence to the Queensferry; but was more successful at Stirling. When he had reached Larbert, being told that Argyle was in Stirling with about sixty horse, and a number of foot, leaving his infantry to follow, he rode forward with all his cavalry, and making a circuit, entered that town by the park. On an alarm being given the marquis with a few horse, had only time to escape b the bridge, his untrained foot soldiers attempting to follo were met and mercilessly cut down by sir George's troo ers; they made but a feeble resistance, and after abou hundred were killed, the remainder were taken prisoner

: arrives Scotd.

Attempts to regain the army for the engagers.

Surprises Argyle at Stirling.

xxx. Elated with the success of this skirmish, the c

* Whitelock, p. 331.

† Rushworth vol. vii. p. 1273. Burnet's Mem p. 374, et. seq.

‡ Thurlow's State Papers, vol. i. p. 106.

mittee of estates issued orders for all the fencible men in the north to join Monroe at Stirling, but the nobles would not obey the call; and the army, now placed under the earl of Leven and Leslie, re-enforced by the gentlemen from Fife, and by the earl of Buccleugh, and the Scotts from the border, who had followed and watched Monroe, prevented all communications with the south. Argyle, meanwhile, arrived in Edinburgh, exasperated at the faithless attack, and in conjunction with the other members of his party, who had ever been averse to the invasion of England, made application to Cromwell for aid to quiet the disorders of the country, in terms of the article of the treaty, by which the two kingdoms were mutually engaged to render each other assistance in repressing any internal disturbance that might arise from the machinations of those who were enemies to the covenant, or who should attempt to sow discord between the two nations.* With this request Cromwell immediately complied, and returned an affectionate answer, "professing with all heartiness, to be ready to join with them against the disturbers of the peace and good will between the two kingdoms, and desiring nothing more than the rooting out of trust all loose persons, and such as were enemies to goodness and good men; assuring them, at the same time, that in his entrance, he would deny himself and his soldiers, what he would take in England."

1648. Nobles refuse to join Monroe.

Covenanters apply to Cromwell.

XXXI. Perceiving the impossibility of resisting the wishes of the people, and the united force of England and the covenanters, the engagers yielded at last to listen to the mediation of the ministers; and upon condition of having their lives and fortunes secured, and that they should not be called to account for their late conduct, agreed to demit their offices, and disband their forces. Monroe with his troops were to receive a month's pay, and be permitted to return to Ireland; but Monk, who commanded there, had taken advantage of his absence, and reduced the garrisons of Belfast, Carrickfergus, and Colerain.

The engagers submit.

XXXII. After the decisive victory at Preston, Cromwell advanced with his forces toward Scotland. He was met at

* Whitelock, p. 334.

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Berwick by messengers from the committee of estates—now consisting entirely of covenanters since the Hamiltonian faction had demitted—who brought him a letter from the chancellor in their name, "thanking him for his readiness to assist them, and for the good order and discipline which he had maintained in his army, by preventing any stragglers from doing mischief when they lay so near the borders; informing him, at the same time, of their treaty with the other party, and their own anxiety to avoid every thing which might import an accession to the guilt of the late engagement: that, in consequence, they had given orders for disbanding the Scottish forces in the garrisons of Berwick and Carlisle, and delivering the towns for the use of the parliament of England." Having received and garrisoned Berwick, the English general proceeded, by invitation of the committee, to Edinburgh to settle the tranquillity of Scotland in conjunction with them. At Edinburgh he was received with great pomp, and lodged in the earl of Moray's house in the Canongate, with a strong guard placed before his gate for honour and security.* The lord provost and magistrates paid him complimentary visits, as if he had been the sovereign, and ministers congratulated his arrival as the saviour of the country. To mark more strongly their regard, he was maintained at the public expense, and a magnificent entertainment was given to him and his officers, along with generals Leven, Leslie, the marquis of Argyle, and a number of Scottish nobility in Edinburgh castle, from which he departed under a discharge of artillery; the parties little imagining that within two years they would meet again under very different circumstances. During his stay in the capital, all the forces on both sides were disbanded, except one thousand foot and five hundred horse, under the command of Leven and Leslie, who, together with two regiments of horse, and two troops of dragoons, under general Lambert, were to remain imbodied, to protect the covenanters, and secure the new arrangements.†

Cromwell's reception at Edinburgh.

Forces on both sides disbanded.

XXXIII. Frequent consultations were necessarily held be-

* Guthrie says, Lady Home's, Mem. p. 297.

† Whitelock, p 336. Rushworth, vol. viii. p. 1106.

tween Cromwell and the ruling party, at which the royalists slanderously affirmed that the execution of Charles was concerted with Argyle. The regulation of Scotland, and arranging the places necessary to secure the ascendency of the covenanters, were sufficient to occupy the attention of Cromwell during the whole of his stay; nor does the subsequent conduct of the marquis warrant our believing the mischievous reports which were circulated by his enemies, of his wishing to usurp the throne or change the government. Having obtained the restitution of the two frontier fortresses, and the exclusion of the engagers from the municipal offices in the metropolis, and the next parliament, Cromwell returned to England, to take an active share in the important transactions going forward in the capital, which threatened to subvert the independent interest and annihilate the army. He was followed by sir John Chiesley and Mr. Robert Blair, minister, as interim commissioners till the estates should assemble, to express the gratitude of Scotland for the good offices of the lieutenant-general, and their desire to cultivate the amity of the two houses, and maintain the integrity of the existing treaties.

Reports injurious to Argyle.

Cromwell returns to England.

XXXIV. Nothing is a greater proof of real magnanimity than being able to submit with dignity to the pressure of unavoidable calamity. A mind of a superior order commands circumstances, not less by yielding gracefully, and without the appearance of constraint, than by unshaken constancy in insisting as long as there exists any rational appearance of success. Charles could not perceive this—he resisted with pertinacy till every chance was fled. He tired and disgusted his opponents, by pertinacious quibbling, and scholastic casuistical controversy, till at last concessions, wrung from him by the utter hopelessness of his state, became as unavailing as they were rendered contemptible. While the English parliament were freed from the influence of the army and the presbyterians, during the absence of Cromwell and his party, constituted a majority, a new treaty was commenced with the king, and the restored members were exceedingly urgent to have it concluded, that the weight of the sword thrown into the parliamentary scale, might enable them to balance the sword in the hands of their oppo-

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nents; and had his majesty at once, and without hesitation, at the commencement, acquiesced in those concessions which he offered at the close of the discussions, he might, probably, have been restored to his throne, and have avoided the scaffold; but his object, in entering upon negotiations, was to protract time till the result of other disputations more congenial to his disposition were ascertained:—he trusted to the operations of Hamilton and the efforts of the royalists, and was rather desirous of entering his capital "at the head of an army, than at the tail of a treaty."

xxxv. The subjects of discussion were the same as those which had been fully canvassed at Oxford, Uxbridge, and Newcastle; the arguments were the same; and when his life, liberty, and crown were in suspense, the king vexatiously reiterated objections, which he well knew would never be listened to, and repeated propositions, which he was equally certain would be rejected; he seemed to pique himself upon sustaining a debate when the object was to settle a kingdom, and although their mutual requisitions were fully understood, he pertinaciously dissected them, as if they had never previously been mentioned. The parliamentary commissioners, on their knees, and with tears, entreated him to despatch the business with all possible haste,* and assured him, if, without the formality of interchanging written memorials, he would frankly empower them to make his concessions, they did not doubt but that in a few days he would be brought up with freedom, honour, and safety to parliament, and that a speedy settlement would be obtained; but Charles, remaining still under the delusion that no settlement could be accomplished without him, and that come what might his person was sacred, continued to procrastinate, till Hamilton was defeated, and Colchester taken; then, when the army and the independents were triumphant, he consented—to revoke every hostile proclamation and declaration against parliament, and to acknowledge that they had taken up arms in self-defence;—a preamble which they had long contested, but which they deemed necessary for their own preservation, and he admitted, only provided the whole

Negotiations between the king and parliament.

* Burnet's Hist. vol. i. p 61. Whitelock, p. 331.

eaty were concluded;—to surrender the militia, and the no- ination of the chief officers of state for twenty years:—to ve full satisfaction respecting Ireland, and to acknowledge ıe parliamentary great seal. Religion, and the exemption om pardon of seven delinquents, were the only points upon hich they continued to disagree. Parliament required the tal abolition of prelacy, and the approbation of the covenant; harles was willing to give up archbishops, deans and chap- rs, but not bishops; these he considered as essential to a ıurch, the parliament considered them as supporters of espotism."* Dreading the re-establishment of episcopacy its most irresistible argument remained uncontroverted, arliament had sold the church lands: despairing of re-in- oducing his beloved hierarchy if its emoluments were for ver alienated, Charles refused to confirm the sale, and pro- osed to grant ninety-nine years' leases, at the old rents. ut the parliament, who recollected the manner in which piscopacy subverted presbyterianism in Scotland, and who rceived in the king's anxious reservations in its favour, a termination to preserve the seedlings of the hierarchy, ich clearer skies and more propitious seasons might ripen cedars, determined that their spreading branches should er shade their ecclesiastical Lebanon. Their inflexibi- on this point was confirmed by the transpiring of the gement between Charles and the Scottish commission- t the Isle of Wight; its unsatisfactory concessions had ed the Scottish nation, and the preference shown by lton to the malignants, justified the fears of all the terians, that they were not less obnoxious to the royal on and hatred, than the independents. This was a ld for controversy, and here the disputants wrang- Broken off. the army stepped in and settled the matter.

. It is melancholy to think, that even at this period, still played a double game; and that not satisfied ing involved again his ancient kingdom in confus- blood, nor pleased with the thousands, who, dur- mmer, had been idly sacrificed to his unreasonable he still meditated new plans of mischief, and that

* Ludlow, folio ed. p. 102.

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His other negotiations.

the tenderness of conscience which he urged, was only to protract the negotiations till he could find the means of kindling, for the fourth time, the flames of civil war in his devoted country. Hopeless of Scotland, he eagerly turned to Ireland, to which he meditated an escape—his own letters shall speak for him. Afraid lest Ormond should trust his public professions and believe him sincere, he tells him, [October 10th, 1648,] "I must command you two things;—first, to obey all my wife's commands, then not to obey any public command of mine, until I send you word that I am free from restraint; lastly, be not startled at my great concessions concerning Ireland, for they will come to nothing." And

His letters to Duke of Ormond.

same month, 28th, thus writes him, "This is not only to confirm the contents of that, but also to approve of certain commands to you, likewise to command you to prosecute certain instructions, until I shall, under my hand, give you other commands. And though you will hear that this treaty is near, or at least, most likely to be concluded, yet believe it not, but pursue the way you are in with all possible vigour. Deliver that, also my command, to all my friends, but not in a public way, because it may be inconvenient to me." And in a letter to Hopkins, he is fully more explicit;

To Hopkins.

"To deal freely with you," says he, "the great concession I made to-day, [October 9th,] was merely in order to my escape, of which, if I had not hopes, I had not done, for then I could return to my strait prison without reluctance; but now I confess it would break my heart, having done that which nothing but an escape can justify."* If the king had been true to any one party, and had honestly and openly adhered to them, his misfortunes would have claimed our pity, however much we might have been disposed

* Ormond had gone to Ireland to negotiate a peace with the insurgents, and prepare them for receiving and aiding the king; yet Charles assured the parliamentary commissioners, that he had transacted nothing respecting Ireland except with themselves. He was, at the same time, in treaty with sir William Hopkins, who resided opposite to Newport, to endeavour his escape, although he had promised the parliament, upon his honour, that he would not leave the island during the discussion of the treaty, nor for twenty-eight days after. Cartes Ormond, vol. ii. Appendix, p. 17. Letters subjoined to Wagstaff's Vindication, p. 142, &c. Laing's Hist. vol. iii. p. 412, 413. Brodie's Brit. Emp. vol. iv. p. 144.

detest his principles; but when we see him, in the most solemn negotiations, acting with so much duplicity, a feeling of contempt mingles with the indignation which it is impossible to repress, at seeing such selfishness sporting with the best interest of a nation, whose welfare it was his paramount duty to have consulted.

XXXVII. Hollis and the restored members of the house of commons, would have made any concessions almost to obtain the king's return, by which they hoped to effectuate the reduction of the army; and would have accepted of very slender guarantees in order to accomplish their object. The army, aware of this, watched their motions with vigilant attention; and after dispersing their enemies in the field, began to consider how to secure themselves from their enemies in the council; they perceived their own destruction, and that of the cause for which they had been fighting, in the conjunction of the king and the presbyterians, and they resolved to prevent it by a forcible interference. His affairs draw to a crisis.

XXXVIII. Their first step was to present a remonstrance to parliament, demanding justice on all delinquents, but particularly upon the king, as the capital cause of all the evils of the kingdom, and of the late unjustifiable renewal of bloodshed. In this, however, it deserves to be remarked, they had been anticipated nearly two months by a petition to the same effect from the inhabitants of London, to which many thousand signatures were affixed; and upwards of a month before the county of Oxford. To their remonstrance the parliament paid no attention; and the army again seized the king's person, and carried him to Hurst castle, a fortress situated on a small neck of land opposite. Against this violation the houses protested; and after a debate of twenty-four hours, voted the king's concessions sufficient grounds for a settlement. The following day, a number of the principal officers of the army came to London, and consulting with some of the opposition members of the commons, they resolved:— That the measures taken by parliament were contrary to the trust reposed in them, and tended to contract the guilt of the blood that had been shed upon themselves and the nation; that it was therefore the duty of the army to endeavour to put a stop to such proceedings; having engaged in the war, The army overawes the parliament.

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not as mercenaries, but out of judgment and conscience, b ing convinced that the cause in which they had embarke was just, and that the good of the people was involved in i In pursuance of these resolutions, they agreed that non should be permitted to pass into the house but such as ha continued faithful to the public interest; and surroundin St. Stephen's with guards, the obnoxious individuals we arrested by special order from the general [lord Fairfax] an council of the army; colonel Pride, who commanded, bein furnished with a list of the members to be excluded, an lord Gray of Grooby attending to point out their person A hundred and forty members thus excluded, the remainde of the house of commons retraced their steps, reversed the former vote for the recalling the impeached members, d clared the king's concessions unsatisfactory, the proceeding for a personal treaty dishonourable, and confirmed the reso lution against more addresses.

Exclude the members obnoxious to them.

Proceedings of the commons.

xxxix. Preparatory to their future proceedings, the com mons resolved, that by the fundamental laws of the realm, is treason in the king of England, for the time being, to lev war against the parliament and kingdom of England. The lords rejected the ordinance when sent up to them, and adjourned for ten days, to avoid any unpleasant collision; but the commons, instead of being disconcerted, passed a declaratory act, "That the people are, under God, the original of all just power; that the commons being chosen by and representing the people, are the supreme power of the nation; and that whatsoever is enacted or declared for law by the commons in parliament, hath the force of a law, and the people are concluded thereby, though the consent of king and peers be not had thereto;" and proceeded to erect a new and special tribunal, A HIGH COURT OF JUSTICE for the trial of the king.* It consisted of one hundred and thirty-three persons, named from the commons, the army, and the citizens; but it was a new and delicate situation, and prudential motives prevailing with a number who were named, scarcely ever above seventy assembled at a time; Fairfax, after having given it the sanction of his name and approbation, sat

Declare the supreme power vested in the people.

Erect a High Court of Justice for trying the king.

* Ludlow, p. 103, 104 Whitelock, p. 356.

only once with the commissioners, to arrange the charges against the king—the influence of his lady, who was a keen presbyterian and strong royalist, preventing a second appearance.* Westminster hall was fitted up with imposing grandeur for the occasion; and every circumstance of outward pomp was added, which could give dignity to the unparalleled scene of royalty arraigned at the bar of the delegated power of the people.†

Charles' fears of assassination.

XL. When the king was carried to Hurst castle, its dark and gloomy appearance inspired him with a dread that he was brought hither to be assassinated; and one night, when he heard the silence interrupted by the drawing up of the portcullis, and the trampling of horses on the bridge, he eagerly sent to inquire the cause, remarking to his attendant, that this was a fit place for such a deed; and he felt relieved, when informed it was a guard arrived to escort him to

* Mr. Fox remarks, "great and respectable as are the names of some who sat in the high court, they must be regarded in this instance, rather as ministers of that usurper, [Cromwell,] than as acting for themselves." From this charge Ludlow must certainly be exempted, and colonel Hutchinson, although "very much against his owne will put in, yet looking upon himself as called hereunto, durst not refuse it, as holding himself obliged by the covenant of God, and the publick trust of his country reposed in him, although he was not ignorant of the danger he runne as the condition of things then was." Mem. p. 304; and I have no doubt, many others acted from similar motives, the public voice was against the king, and the army partook of the public feeling. Cromwell, the distinguishing characteristics of whose mind were sagacity and decision, dexterously availed himself of the circumstances of the times in which he lived; but he has been egregiously wronged by those representations which depict him as if he had created them. The vacillating conduct of Fairfax on this occasion, when contrasted with the bold downright determination of Cromwell, so congenial to true English feeling, must have tended greatly to weaken the general's influence in the army, and confirm his lieutenant's.

† The king never could persuade himself that he was in any personal danger, which may, in some measure, account for his pertinacious obstinacy in protracting his concessions so long. When the troops surrounded Carisbrook castle, and there was yet a chance of escape, the duke of Richmond and the earl of Lindsay urged him to attempt it; but he interrupted them, stating the difficulty, if not impossibility of accomplishing it, and that the consequence of failure would be, should he miscarry, his exasperating the army, and disheartening his friends; and added, "Nay, what if the army should seize him, they must protect him for their own sakes, for that no party could secure their own interest without joining his with it." Col. Cooke's Narrative. Rush. vol. vii.

BOOK XIII.

1648. Groundless.

Windsor. But he was mistaken in the men with whom he had to do, and did not understand the signs of the times. The power which his father had claimed *jure divino*, and the plain unvarnished manner in which he had asserted his despotic principles, had occasioned an universal investigation into the origin of royal power, and the reciprocal rights and duties of prince and people. Charles, by provoking the same discussions, had contributed to weaken the charm which encircles royalty in free states; and the violent defenders of passive obedience, by outraging the common sense of the people in their zeal for the king, still farther tended to destroy the cause they so injudiciously attempted to support. By vesting the whole power personally in the monarch, they rendered him personally responsible; and took away those surest guards of majesty,—the accountability of the servants of the crown, and the constitutional fiction, that the king can do no harm. At the commencement of the dispute, the patriots abstained from bringing forward his majesty in all their remonstrances and petitions, the persons against whom their invectives were directed, were his advisers; it was those who called themselves the friends of royalty, that first brought the sovereign and the parliament into contact. But when he actually appeared in arms against them, the saying which became current in the parliamentary army, that it was as lawful to fire a pistol in the face of the king, as in that of any other combatant in the field, evinced, that idle reverence for the sacred person formed no part of the political creed of his opponents.

He is removed to Windsor.

XLI. When Charles mentioned to colonel Harrison, on his progress to Windsor, a report that he had heard of his being employed to assassinate him, the colonel repelled the charge with honest indignation; but told him, that he had said "the obligations of the law were equally binding on the great and small, and that justice had no respect of persons." The idea of making a striking example of public justice on the highest delinquent, was far more consonant to the rigid principles of these sturdy republicans, than that of securing their own safety by any private crime; and it had been long talked of, although, perhaps, this might be the first direct intimation that the king received of the possibility of his b

ing brought to the bar as a criminal, to answer in the face of the world to charges preferred against him by those he had been accustomed to talk of as his subjects.

XLII. This unprecedented trial commenced January 19th, 1649, when the high court of justice first sat in the painted chamber. Sergeant Bradshaw was president; John Cooke, nominated for this occasion, solicitor-general for the people of England, had Dr. Dorislaus, Mr. Steel, and Mr. Aske, his assistants. Next day they met in Westminster hall, when the king was brought before them, escorted by colonel Hacker, and thirty-two officers, with partisans,* his own servants immediately attending him. He was received in the face of the court by the sergeant at arms, with his mace, who conducted him to the bar, where a chair covered with crimson velvet was placed for him. After sternly eyeing his judges and the spectators, he seated himself without moving his hat or showing the least mark of respect to the court; then rising hastily, he cast a haughty glance at the guards and at the crowded galleries, and again sat down. Silence being proclaimed, the president addressed the prisoner, acquainting him that the commons of England assembled in parliament, deeply sensible of the evils and calamities that had been brought upon the nation, and of the innocent blood which had been spilt in it, which was fixed upon him as the principal author, had resolved to make inquisition for that blood; and according to the debt they owed to God, to justice, to the kingdom, and to themselves, and according to that fundamental power that rested, and that trust reposed in them by the people—other means failing through his default—had resolved to bring him to trial and judgment, and had therefore constituted this HIGH COURT OF JUSTICE before which he was then brought, where he was to hear his charge, upon which the court would pronounce. Mr. Cooke then rising as solicitor for the commonwealth offered to proceed, but the king softly laying his cane two or three times on his shoulder forbade him;† the president ordered him to

His trial

* Weapons like halberts, then carried by officers.

† While in the act of tapping the solicitor's shoulder, the silver head of Charles' staff fell off, and one of his attendants having stooped to lift it, it rolled away to where the king stood, and he had to lift it himself—this was con-

In obedience to the court, he exhibited the charge
ist the king, which was read by the clerk; it was to the
wing effect:—"That the said Charles Stuart being ad-
ted king of England, and therein trusted with a limited
wer to govern by and according to the laws of the land
d not otherwise; and by his trust, oath, and office, being
bliged to use the power committed to him for the good and
enefit of the people, and for the preservation of their rights
nd liberties; yet, nevertheless, out of a wicked design to
erect and uphold in himself an unlimited and tyrannical
power to rule according to his will, and to overthrow the
rights and liberties of the people; yea, to take away and
make void the foundations thereof, and of all redress and re-
medy of misgovernment, which, by the fundamental consti-
tution of the kingdom, were reserved in the people's behalf,
in the right and power of frequent and successive parliaments,
or national meetings in council;—He, the said Charles Stu-
art, for accomplishment of such his designs, and for the pro-
tecting of himself and his wicked adherents, in his and their
wicked practices to the same ends, hath traitorously and ma-
liciously levied war against the present parliament and the
people therein represented." The particular engagements
of the first campaigns are then narrated; next the renewing
of the war, in 1648, with the continuance of commissions
the revolters, both English and foreigners, and to the earl
Ormond, and the Irish rebels, for prolonging the calami

sidered as a fatal omen; so apt are superstitious minds to predict fatal
quences from trifles, and to overlook their own misconduct, the surest
of all misfortune. This ridiculous propensity to receive as oracles a
circumstances, which could have no rational connexion with future ev
very prevalent in Charles' court, and their love for the marvellous
or invented many strange coincidences. Among those of very apoc
thority, is the story of a large cake of wax, which Charles had alway
silver basin to burn in his chamber during the night; it went out,
of Lindsay, who slept in the chamber as his attendant, observed it
not rise to re-light it, lest he should awaken his majesty; he ther
but when he awoke, to his astonishment the lamp was burning b
mentioned the circumstance to the king, who told him he also h
and considered it as a prognostic of God's power and mercy t
his, that although he was at that time, so eclipsed, he or they
bright again! Alas! for the omen!—the taper of his family
but it was only to blaze for a moment, and then be extinguish

f the country. "All which designs, wars, and evil practices f the said Charles Stuart, have been and are carried on for ıe advancement and upholding of a personal interest of will, ɔwer, and pretended prerogative to himself and his family, ɡainst the public interest, common right, liberty, justice and ɜace of the people of this nation, by and from whom he as intrusted as aforesaid. By all which, it appeareth that e said Charles Stuart, hath been and is the occasion or ıthor and continuer of the said unnatural, cruel, and bloody ars; and therein guilty of all the treasons, murders, ranes, burnings, spoils, desolations, damages, and mischiefs to is nation, acted and committed in the said wars, or occaɔned thereby."

XLIII. While the charge was reading, Charles smiled ɔntemptuously, as if in scorn at his judges; his enemies ɔputed it to the pleasure he felt at hearing of the destrucɔn of his opponents. When the charge was done readɡ, the king demanded by what authority he was brought ıither? and on being answered, by the authority of the comıons of England, he observed he saw no lords there whose resence with that of the king was necessary to constitute a arliament; he insisted that the kingdom of England was ereditary, not successive, and for the exercise of that power hich he derived from heaven he was not accountable to ıan; he would not therefore betray his trust by acknowedging an unlawful authority. Besides, while engaged in reaty with his two houses, he had been forcibly taken prioner and carried from the Isle of Wight, and brought thiher by military violence, when he thought the treaty had een concluded. The president when he had finished, aid:—as to his plea of not being accountable to man, seeng God by his providence had overruled it, the court had esolved to do so also; and if he would give no other anwer, it should be registered, and they would hold him as onfessed.

The king's objections to the court.

Answer of the president.

XLIV. He was repeatedly brought before them, and continued to persist in questioning their jurisdiction; as a king, he denied that he was answerable to any human tribunal, that he was responsible to God alone; but granting that the people had the power to bring him to account, in that case,

Repeats his objections.

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he contended, every man down to the meanest subject oug to have given his opinion; he confessed he had a trust, great and important trust—the freedom and liberty of t people of England, and for that he would stand; "For t charge," added he, "I value it not a rush; but for me acknowledge a new court that I never heard of before, I th am your king, that should be an example to all the people England to uphold justice, and to maintain the old laws; i deed, I do not know how to do it." He was proceeding, wh the president interrupted him, requiring him to give a po tive and final answer, by way of confession or denial of t charge; "Sir," replied the king, "I say again to you, if might give satisfaction to the people of England of the clea ness of my proceedings, not by way of answer to your d mand, but to show them that I have done nothing again that trust that hath been committed to me, I would do it but to acknowledge a new court against their privilege, t alter the fundamental laws of the kingdom, sir, you must ex cuse me:" "Sir," answered the president, "this is the third time that you have publicly disowned this court, and put an affront on it; how far you have preserved the privileges of the people your actions have spoken it—and truly, sir, men's intentions ought to be known by their actions—you have written your meaning in bloody characters throughout the whole kingdom;" and, having ordered the default to be recorded, the king was withdrawn. Witnesses were then examined in support of the charge—that the prisoner had levied war, and carried arms against parliament and the people of England; and upon their evidence he was pronounced guilty. Before sentence was passed he earnestly desired to be heard before the lords and commons in the painted chamber, upon a subject which he said highly imported the lasting peace of the nation; some of the judges appearing willing to comply, they retired to deliberate; in about half an hour they returned with a refusal to his request, which they said tended to set up another or co-ordinate jurisdiction in derogation of the power whereby the court sat. It was generally supposed that he meant to resign the crown in favour of his son, which, as the kingly authority was not yet abolished, would have been throwing an additional bone of contention among a people

Which are overruled.

He is found guilty.

already sufficiently disposed to disunite, and whom the utter hopelessness of ever again seeing royalty established would alone reconcile to the republican form of government. He was sentenced as a traitor, tyrant, murderer, and public enemy, to suffer death by decapitation. Some of the foreign powers interfered on his behalf, but their mediations were without effect; and the tragedy was enacted before astonished Europe, whose monarchs beheld with awe and silent amazement the solemn and impressive spectacle.

His sentence.

XLV. The king passed the interval between his sentence and execution—from Saturday till Tuesday—at St. James', attended by Juxton, late bishop of London, whom he had selected to assist him in his devotional exercises; Calamy, Caryl, and several other presbyterian and independent ministers presented their duty, and their humble desires to pray with him and perform other offices of service, if he would be pleased to accept of them; he thanked them for their love to his soul, begged they would remember him in their petitions to God,—but declined receiving their personal assistance. Such of his family as were in England were allowed to visit him with freedom during the short space he had to live, and the interviews were tender and affecting; he bestowed on them his best advices, and exhorted them to maintain their loyalty and duty to their eldest brother so soon to be their king. Early in the morning of the day of execution—Tuesday—his majesty awoke before light, and called Herbert, who reposed on a pallet by his side, and directed him to be particularly careful in dressing him; "this is my second marriage day," he remarked, "I would be as trim to-day as may be, for before night I hope to be espoused to my blessed Jesus;" he also desired him "to let him have a shirt on more than ordinary, lest, as the season was so sharp, and he might shake, some of the observers might imagine it proceeded from fear;" adding, "I would have no such imputation, I fear not death; death is not terrible to me, I bless my God I am prepared." At an appointed hour Juxton joined them, and assisted Charles in his devotions; after which he gave Herbert some presents for his children, and his farewell advices.

Behaviour while under sentence of death.

XLVI. About ten o'clock the melancholy procession left

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1649.

St. James' for Whitehall, the king walking on foot throug the park between some companies of foot who lined the road with his own immediate attendants walking bareheaded be fore and behind, between a private guard of partisans. Th people behaved with decorous respect, and murmurs of sym pathy were heard as he passed; while the silence of th soldiers, and the mournful expression of their countenances evinced that they were not unaffected at this striking in stance of the mutability of man's best estate. At Whitehal he remained some time in the cabinet where he used to sleep engaged in religious exercises, and at twelve took a glass o wine and a little bread; thence he proceeded through the ban queting room to the scaffold, which was erected in the stree in front, and to which an entry had been formed by open ing a window; it was hung round and had the floor cover ed with black, the block placed in the middle, and the axe laid upon it. Horse and foot were drawn up all around, and the crowd of spectators was immense.

On the scaffold.

XLVII. When the king came upon the scaffold he made a pause; and looking very earnestly on the block, asked at the officer who stood near him if there were no higher? He then addressed the gentlemen who were around him, as he said he could not expect to be distinctly heard at a dis- tance, and even to them he would have held his peace, only he was afraid his silence might be construed into a confes sion of guilt and not of resignation. He protested his in nocence. All the world knew he did not begin the war, a he called God to witness that he never intended to encro upon the privileges of parliament; they did so upon his w they took the militia, and their commissions were ea dated than his. He hoped God would clear him o guilt, and he in charity did not mean to impute it to th houses, for he believed that ill instruments between the been the cause of all the bloodshed; yet would he n but that God's judgments were just upon him; and knowledged retributive justice in the sentence he w to suffer, for his own crime in having assented to th tion of an unjust sentence on his friend. He pronou forgiveness on all the world, even those who were mediate cause of his death; he expressed his wish

1649. His dying declaration.

might repent of this great crime, and he prayed, with St. Stephen, that it might not be laid to their charge, and not only so, but that they might take the right way for the peace of the kingdom. This he believed would never be the case, nor would God ever prosper them till they gave God his due, by regulating right according to the scriptures, his church, which was then out of order; the king his due, according to the laws of the land; and the people their due, their liberty, and freedom—but that, he reminded them, did not consist in their having any share in the government, that is nothing pertaining to them; a subject and a sovereign are clean different things; their freedom consists in being obedient to laws that secure their life and goods. "Sirs," added he, "It was for this that now I am come here: if I would have given way to an arbitrary way, for to have all laws changed according to the power of the sword, I needed not to have come here; and therefore, I tell you—and I pray God it be not laid to your charge—that I am the martyr of the people. I have delivered my conscience; I pray God that you take those courses that are best for the good of the kingdom and your own salvation." When he had ended, Dr. Juxton suggested, that it might be expected he would say something of his affection for religion. The king thanked him for reminding him of this, for he had almost forgotten it; and addressing the spectators again, he said, "In troth, sirs, my conscience in religion I think is very well known to the world, and therefore I declare before you all, that I die a christian, according to the profession of the church of England, as I found it left me by my father." Turning to the officers, he said, "I have a good cause and a gracious God." Dr. Juxton, at his desire, assisted him in adjusting his hair under a satin nightcap, while he repeated, "I have a good cause and a gracious God." The prelate replied, "There is but one stage more—this stage is turbulent and troublesome—it is a short one; but you may consider it will soon carry you a great way—it will carry you from earth to heaven, and there you shall find to your great joy the prize you haste to—a crown of glory." "I go," replied the king, "from a corruptible to an incorruptible crown, where no disturbance can be." "You are exchanged," added Juxton, "from a tem-

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1649.

His execution.

poral to an eternal crown—a good exchange." took off his cloak and his George, and giving his Dr. Juxton, said, in a low tone, *remember*. His then adjusted to the block, and having repeate prayer, he stretched out his hand, the appointed s which the executioner, who was masked, performe fice. An assistant, also masked, held up the blee with the common exclamation—here is the head tor. This sad spectacle excited in the beholders tl gled emotions of pity and compassion which fallen seldom fails to inspire; and several endeavoured ping their handkerchiefs in his sacred blood, to some holy relic of the "royal martyr." His body v a coffin covered with black velvet, and carried ba cabinet chamber in Whitehall; there, after being ed, it was enclosed in a leaden coffin, and remaine ruary 17th, when it was carried to Windsor, and l in the Dean's Hall a short time: it was subsequent privately in St. George's chapel, where it remained vered till a few years ago, notwithstanding some f tempts at the restoration to find it out, and bes funereal honours.

Review of his measures.

XLVIII. Charles was in the forty-ninth year of his the twenty-fourth of his reign, when he fell a sacrif obstinate love of arbitrary power in church and stat multiplicity of his unprincipled intrigues to regai the chances of war had declared against him. His mi and melancholy fate, his attachment to episcopacy, ness on the scaffold, and his reputed piety, have cont procure for his character a degree of respect, whic perished by the hands of an assassin, or the cabal o tocratic faction, it would never have received. His Scotland commenced by an open, undisguised avow potic principles; and by wanton and shameless atta the privileges of parliament, and the personal safety o stitutional opponents.* His innovations upon the establishment of that country, were constant aggressi the law of the land; and by whatever mental reser

* In the cases of lords Rothes and Balmerino.

might reconcile his conscience to the declaration, that he did not commence the war in England, the Scottish nation were as incapable as unwilling to attack him, when his warlike preparations forced them to take arms. After the insidious truce at Dunselaw was concluded, his total disregard to all his promises led to the second rupture with his native kingdom, towards which his conduct had only exhibited one unvarnished picture of tyranny and duplicity. His concessions during his last visit were evidently intended merely to secure the neutrality of the covenanters till his success in England enabled him to recall them, and reduce both kingdoms to the same hopeless subjection. His throwing himself into their army at Newark, was with the intention of separating them from the English, and enabling him to maintain the war with their forces; and his last engagement was yet more indefensible and ruinous. As king of Scotland, it is difficult to discover any one act which entitles his memory to the regard of his countrymen. His piety they did not esteem of much value; and even his far-famed chastity was held doubtful.* They could not give great credit to that man's professions of regard for religion, who authorized and enjoined the profanation of the sabbath, who paid no regard to the obligation of an oath, and who showed little hesitation in taking the name of God in vain in his common conversation; and his regular compliance with the mode of presbyterian worship while in Scotland, precluded the belief of his being conscientiously devoted to any other form. His habitual insincerity must perhaps in a great measure be imputed to his education under a father who placed the highest excellence of his trade—kingcraft—in shuffling, trick, and chicane; in attempting to deceive others, but being himself the dupe of his own deceit. It would be unjust however, not to allow that his conduct was unstained by

His character.

* "He, Charles, was a gentleman, because of his continual misfortunes, pitied by most, and admired by many. I will not say but there are great mysteries in kings' genealogies and characters; common historians serving them as popish legendaries do their latter saints: concealing all their vices, extolling common virtues as heroick; yet I never heard his enemies blame him for the common vices of princes, except the two bastards in his youth, and his swearing in his old age." Kirkton's Hist. p. 46.

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very gross vice; and as from his infancy, he breathed in a atmosphere of the rankest pollution, he has been deeme virtuous, because he escaped being entirely depraved. H was an uxorious husband, an affectionate father, and a d cent man. He possessed some taste for the fine arts, an his general abilities, though not of that extraordinary stam which his eulogists pretend, were by no means despicabl His manners were cold and repulsive. His person w about the middle size; his aspect grave and pale, and weakness in his eyes, rendered it rather unpleasant.

XLIX. Shortly after the execution of the king, a pio fraud was successfully practised upon the nation. Whi men's minds were tender at the recollection of his recent su ferings, and before they had time to recall any sterner fee ings, a book entitled Eikon Basilike, or a Portraiture of h Sacred Majesty in his Solitudes and Sufferings, was pub lished. Any book making its appearance in such circum stances, and ushered into the world with the strongest as surances of its being genuine, could not fail to attract uni versal attention; and the Eikon was extremely well cal culated to produce an impression; the sentiments it expres ses are those of pious resignation and christian charity; the views of public affairs are specious apologies for all the objectional actions of his majesty, and each meditation con concludes with a prayer breathing fervent wishes for his people's happiness. It is the picture of an injured, patient devout sufferer, the severest pangs of whose heart were those, the miseries of his people, not his own wretchedness, oc casioned. The book is plausibly written, with much ap parent piety and tenderness; and the royalists, who receiv ed it with more eagerness than the scriptures, compared i to the sacred writings in all the beauties of its composition nor scarcely considered its contents as of less authority Belief in its authenticity became soon a test of loyalty; an although Clarendon, Charles II., and the duke of Yor knew the cheat, at the restoration it would have been littl less than sacrilege to have hinted that it was spurious. Bu the publication of the Clarendon Papers discovered the re author; and now that this wonderful production is incontr

Eikon Basilike proved a forgery.

vertibly proved to have been the work of Dr. Gauden, it has sunk to the level of other well written ephemeral productions, which accident had raised to undue elevation, but which when the excitement is gone remain neglected.*

1. That the condemnation of the king was unjust has been assumed, because the court of high justice was a court unknown to the constitution of England, and unsanctioned by the proper legislature; but society in Britain had been deranged, and all its regular bands ruptured by a long and imbittered civil war; and the act must be judged by principles applicable to the exigence of the case—a case for which there was no precedent, and to which there has never been a parallel.† The question resolves itself thus—did the king when he took arms to coerce his parliament, decide upon staking his life and his crown upon the event—that he would either be a glorious [*i. e.* absolute] king, or a patient martyr?‡ if so, he knew the forfeit, and had no right to complain; but to justify his opponents in exacting the penalty, in the opinion of a late great statesman, the danger of suffering him to live must have been not problematical and remote, but evident and immediate; and he pronounces that the danger, in this instance, was not of such a nature.§ I regret to differ from so high a name as that of Fox; but the engagement with the Scots, I apprehend, completely establishes such a danger; and Charles' endeavour to raise up a new war at the very time when he was a prisoner, and in treaty with his parliament, vindicates the infliction of the last extremity. Political reasons alone, were not however, those upon which the ruling party in England defended their conduct; they pled the necessity of cleansing the land from

Reflections.

* The controversy respecting the Eikon is now of little importance. A detected fraud soon loses all interest. Those of my readers who may feel any curiosity about it, will find the whole fully discussed, and indisputably settled in Laing's Scotland, last edition, vol. iii. p. 443, and the long note xiv. p. 565, at the end.

† The outrageous and farcical mockery of justice in France, on the trial of Louis XVI., bears no more resemblance to the solemn, serious, and unimpassioned proceedings at Westminster, than the Gallic phrenzy, which followed the former event, does to the important, beneficial, and bloodless revolution of Britain in 1688.

‡ His own expressions, vide p. 90. § Fox's Hist. Frag. 4to. ed. p. 13

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blood, and doing justice upon the chief murderer;—they argued that the more exalted the situation of the delinquent was, the more necessary was the example—that essential justice knew no difference between the prince and the peasant—and that all law, natural, moral, and divine, required that whosoever sheddeth man's blood, by man his blood should be shed;—on this ground the presbyterians and they were agreed. The accountability of monarchs for their conduct, and the right of subjects to try, depose, or put to death their sovereigns for the flagrant crimes of murder and tyranny, had always been asserted by the Scottish reformers, and had been acted upon in the case of this king's grandmother, whose deposition by the Scots formed an authority for the trial of her descendant, as her execution on a scaffold was the first example of royal blood being shed by the hands of a common executioner in England;*—but the Scots who had refused him admission into the kingdom, unless he would subscribe the covenant, and, true to their principles, opposed his restoration to liberty, or the throne upon any other terms, although they might, and most probably would have concurred with their presbyterian brethren in England in bringing Charles to an account, could not endure that "this exemplary act of substantial justice" should be performed by sectarians, and the throne at the same time overturned by republicans.

LI. When the English presbyterians regained their ascendency during the absence of the army, and the Scottish covenanters theirs, from the defeat of the engagement, both then became anxious to secure it by a treaty with the king and the Scottish committee of estates in reply to a letter from his majesty, by Parsons, besought him at last to hearken to the advice of his parliament in consenting to the propositions of both kingdoms; especially to those respecting the covenant and reformation of religion, which they understood to be the point he most stuck on, and to which they in interest and honour were obliged to adhere, and without which his kingdom could not be established in righteousness. Their com-

* Unless we consider the tragedies of Henry the VIIIth's wives as initiatory lessons of encroachment on the sanctity of discrowned heads.

missioners, who followed, were instructed to hold the same language; and the hopes entertained of the king's acceding to their proposals, their want of power, and their dread of the supremacy of the army and independents, alone prevented them from proceeding to set aside Charles, and choose a more pliant substitute for the preservation of the covenant and of the monarchy. In their present depressed state, no probable means of effecting this latter object presented themselves; they, therefore, could only expect to attain the former by the preservation of the king's life; and this they laboured to protect by the sole method now in their power—that of remonstrance and representation. As soon as the ordinance for his trial was passed in the commons, the Scottish commissioners sent a letter strongly urging unity of counsels and actions, according to the covenant between the two kingdoms; and that the house would not proceed to try or execute the king, until the advice of their nation was received: to this no attention was paid, and the preparations for the trial proceeded.

1649. Efforts of Scots to save the king.

Their commissioners' letter to the commons.

LII. Meanwhile, the parliament of Scotland met, [January 4th] in pursuance of the summons of the committee; and as all who had adhered to or approved of the engagement were excluded, only fourteen of the nobility were present.* On the second day of their meeting, a letter was laid before them, from the commissioners in England, informing them of the seclusion of the members by the army, the revocation of all the votes in favour of the king, and the resolution to proceed against him as a capital offender; enclosing also a paper, entitled, Agreement of the People,† and stating to them the difficult situation in which they were placed. If they remained silent at the changes which had taken place, it would be considered as an approbation or a compliance with the army upon some secret agreement; if they presented any address to such lords and commons as were permitted to remain, and acknowledged them to be the houses of parliament, it would be looked upon as injurious to the cause, and a breach of the solemn league, by which they were obliged to preserve the rights and privileges of the parliament and

Parliament meets.

Apprised of the intention of the English to bring the king to trial.

* Acts of the Scottish Parliament, vol. vi. p. 339.

† This paper was drawn up by Ireton. Rushworth, vol. vii. p. 1359.

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liberties of the kingdom, unless it were done with a salvo to the privileges of parliament, and taking notice of the force upon the house, which would be a ticklish matter; and they requested advice how to proceed in their intercourse with them.

LIII. In reply, the Scottish parliament acted consistently with their covenant. They would neither justify the king nor admit the doctrine, that princes were exempted from being brought to trial and punished; but, at the same time, they could not agree to set aside the ancient family, or abrogate royalty. Their instructions to their commissioners, therefore, were—to use, in their applications, the salvo suggested in their letter, that they might not seem to approve of any violence used against the parliament or any of its members—to make application to such lords and commons as were friendly, well affected, and of the honest [*i. e.* presbyterian] party, but in such a manner as to give no offence to any;—to justify in no shape the king's proceedings or actions, nor express any approbation of the late engagement;—to do nothing which might tend to create a breach, or give any grounds for a new war;—and to request that the houses would do no violence to the king's person.* But if they should proceed and pronounce sentence against the king, they were to enter their dissent, and protest that the kingdom of Scotland might be free of all the desolation, misery, and bloodshed that would inevitably follow, "without offering in your resonne that princes are eximed from triale of justice"†—they were to press upon them the calamities that would ensue from the king's execution, and the grievous effects it would have in Scotland, considering his delivery up at Newcastle—they were to protest against the doctrines of the people's agreement respecting toleration, and at the

Their instructions to their commissioners.

* The expressions are, "That they wold delay to medle withe the kinges persone, according to ther seurall promisses and declaratione at Newcastle and Humbie house." Balfour's Ann. vol. iii. p. 384. That my interpretation is correct, appears from all the proceedings of the commissioners: they did not insist upon "delay," a mere deferring, but "a delay to medle withe,"—a total abstaining from hurting.

† Acts of the Scottish Parliament, vol. vi. p. 310. Balfour's Mem. vol. iii. p. 384.

same time to declare the king's concessions unsatisfactory.

LIV. These instructions were sent off by express to their commissioners, and the commissioners, when they found every other step unavailing, on the 22d of January, sent the following protest against their proceedings, under cover to the speaker of the house of commons;—"By our letter of the 8th instant, we represented unto you what endeavours have been used for the taking away of his majesty's life; for change of the fundamental government of this kingdom, and introducing a sinful and ungodly toleration in matters of religion, and therein we did express our sad thoughts and great fears of the dangerous consequences that might follow thereupon; and further, we did earnestly press that there might be no proceeding against his majesty's person, which would certainly continue the great distractions of these kingdoms, and involve us in many evils, troubles, and confusions. But that by the free counsels of both houses of the parliament of England, and with the advice and consent of the parliament of Scotland, such course might be taken in relation to him, as may be for the good and happiness of these kingdoms, both having an unquestionable and undeniable interest in his person as king of both; which duly considered, we had reason to hope should have given a stop to all proceedings against his majesty's person. But we understand that after many members of the house of commons have been imprisoned and secluded, and also without and against the consent of the house of peers, by a single act of yours alone, power is given to certain persons of your own number, of the army, and some others, to proceed against his majesty's person; in order whereunto, he was brought up on Saturday last in the afternoon before this new extraordinary court. Wherefore, we do, in the name of the parliament of Scotland, for their vindication from false aspersions and calumnies, declare, that though they are not satisfied with his majesty's concessions in the late treaty at Newport in the Isle of Wight, especially in the matter of religion, and are resolved not to crave his restitution to his government before satisfaction be given by him to his kingdoms, yet they do all unanimously with one voice—not one member excepted—

Protest of the commissioners against the proceedings of the English commons.

BOOK XIII.

1649.

disclaim the least knowledge of, or accession to the late pro ceedings of the army here against his majesty; and sincerel profess that it will be a great grief unto their hearts, and li heavy upon their spirits, if they shall see their trusting c his majesty's person to the honourable houses of the parlia ment of England to be made use of to his ruin, so far con trary to the declared intentions of the kingdom of Scotland and solemn professions of the kingdom of England. An to the end it may be manifest to the world how much they abominate and detest so horrid a design against his majesty's person, we do in the name of the parliament and kingdom of Scotland, hereby declare their dissent from the said proceedings, and the taking away of his majesty's life; and protest, that as they are altogether free from the same, so they may be from all the evils, miseries, confusions, and calamities that may follow thereupon to these distracted king doms."

Of no effect—their application to Fairfax,

LV. This protestation was as little attended to as the former letter; but to evince the sincerity of their efforts to preserve the king's life, they made application to lord Fairfax, and to Cromwell, to interpose their influence to save him; and on the very day preceding the execution, they sent earnest and pressing letters to both, to try if even then they would interpose with the council of war to avert the impending stroke. Their address to Fairfax, I copy, as it goes entirely to refute the idle stories respecting that general's using strenuous exertions in favour of the unfortunate monarch. The Scottish commissioners had previously, it would appear, importuned him without effect; nor did this last pathetic appeal to his humanity and honour make any greater impression. "May it please your excellency,—we have divers times waited on you to solicit your endeavours for preservation of his majesty's person; and now having received particular directions from the estates of the parliament of Scotland to make application to your excellency for the same end, we do, in their names, earnestly desire and entreat thee, that you will take into serious consideration that the kingdom of Scotland hath undoubted interest in his majesty's person; and how hard a thing it is to proceed against the king not only without, but against their advice and consent; that

his person was intrusted by that kingdom to the honourable houses of parliament; and how much it will reflect upon the honour of Scotland, and the faith of England to take away his life. Be pleased, also, to remember the many ties and bonds of love and friendship betwixt the kingdoms, their solemn engagements in one cause and covenant, and the many obligations and mutual good offices which have passed betwixt the kingdom of Scotland and the forces under your command; consider what an unsettled peace it is likely to prove, which shall have its foundation laid in the blood of our king, what dangerous evils and grievous calamities it may bring upon us and our posterity, what reproaches upon religion and the work of reformation, and what infamy abroad in other nations. And let it never be recorded to future ages that you have been wanting in your duty at such a time as this, but according to the eminency of your place, honour, and dignity, and the greatness of your interest, improve this present opportunity by all lawful ways and means, to prevent the taking away his majesty's life; wherein we do also earnestly entreat the concurrence of your council of war."

And to Cromwell, equally unavailing.

Their letter to Cromwell was not less importunate; but with him they had not the common grounds of such urgency as with Fairfax; as he was an open and avowed sectary, and Fairfax was still regarded as the most powerful of the presbyterians. What the Scottish parliament could do they did; they fully approved of all these proceedings of their commissioners, and had the English parliament been free, they could not have been acquitted of want of faith towards the Scots, in bringing the king to any trial to which the latter were not parties; but the evident immediate cause of the whole was that unhappy engagement which ruptured the treaties between the two nations; and, by dividing the presbyterian Scots among themselves, rendered them unfit for acting as armed mediators between the two parties in England, for being efficient allies to their presbyterian brethren, or for resisting the power of the sectaries; and reduced them to the state of a dependent nation, before the recall of the second Charles rendered them a conquered one.

LVI. With an account of the fate of Hamilton, who was the principal actor, and who was doomed to expiate his er-

BOOK XIII. 1649.

rors on the scaffold, I shall close this book. He had his surrender, been confined prisoner in Windsor; bu he heard of the trial and execution of Charles, he in ately began to fear for himself, and projected with hi ful servant Cole an escape from his confinement. gained his keeper, it was arranged that a trusty person wait with two horses at night for him in Windso which he was to fly to London, but not to enter the seven o'clock in the morning—guards being always s ing the night—when Cole was to meet him and carry a secure house:—all succeeded as they could wis night, about the time of shutting the gates, the duke his escape fairly out of the castle without suspici came to the place appointed, where the man and hors stationed. Here, unfortunately, he would not wait ti but proceeded immediately to Southwark, thinking t got to a friend's house; and, as if there had been a in it, a party of horse and foot were that very nig trolling there in search of two other royalists wh made their escape the night before. Some of these n the duke in the street about four o'clock in the morni prehended him. When examined, he told them a pl story, which at first satisfied them; but observing, smoked a pipe, that he burned some large papers to they searched his pockets, and from others he had him, discovered the quality of their prisoner. He was to St. James', and, in consequence of this abortive a was ordered by the commons to be brought to speedy

Hamilton escapes from Windsor.

Is apprehended.

LVII. A court of justice was instituted, February which Bradshaw was president; and Cooke, who hac as solicitor on the trial of the king, appeared in the st pacity against the duke. He was arraigned under th of earl of Cambridge, for traitorously invading Engla hostile manner, and levying war to assist the king the kingdom and people. The duke refused to ackno the jurisdiction of the court, as being a foreigner, a of Scotland, born before the naturalization of his At the same time, he represented that he was invest the command of the army by the parliament of Sc for ends which he thought good and justifiable, and

His trial.

tended to interrupt the peace and happiness of these dominions, which yet he had earnestly endeavoured to decline, but his wishes being overruled, he durst not disobey without incurring the highest censure; he also pled, that having surrendered himself upon articles, he could only be considered as a prisoner of war, his life being guaranteed to him by these articles. Matthew Hale—afterward the celebrated lord chief justice of the king's bench—who conducted his defence, contended that no man could be held subject to two hostile kingdoms at the same time; and in any such case, where his allegiance was demanded, it was due of right to his native land; that by acting hostilely to his adopted country, he might forfeit his honours, or his property in it, but could never be deemed a traitor. To this it was answered, that Hamilton had sat in the English parliament as earl of Cambridge, and on his entering England he joined with Langdale, an English traitor. Hale argued, that to assist the king could never be treason; Cooke replied, it was so by act of parliament. The articles of capitulation were then urged; but by a most disingenuous mode of reasoning their violation was justified, as if they had been only military terms to protect him from the immediate violence of the soldiery, and not to secure him against the civil punishment of a traitor. Were it not that in times of civil dissension little regard is paid to what, in the ordinary course of justice, would be deemed unanswerable arguments, we would be astonished that such valid objections did not prevail; but to have allowed the duke to escape when the king had suffered, would, it was imagined, have been impugning the former proceedings, and therefore, all objections were overruled, and he was found guilty of treason; at least it is difficult to conceive any other cause for his condemnation as a traitor, seeing he owed no allegiance to the parliament of England incompatible with obedience to the highest judicature of his native country. His sentence was remitted to the house of commons; but a majority voted it should be carried into execution. He died with intrepidity, denying the justice of the sentence by which he suffered, and protesting his innocence with regard to those calumnies which were spread against him, representing him as having waver-

Defence.

Execution.

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ed in his loyalty to his king, or with having ever
the cause of his country.*

1649. Character.

He was a man ill fitted for the arduous situation i
he was placed; and his vacillating politics, which a
reconciling parties who were irreconcilable, contrit
augment the distractions of a divided people; but h
subservience to forward the views of the king, even
variance with his own judgment, and when evident
ing to involve his country in bloodshed, and erect u
monarchy on the ruins of her freedom, entitle him
praise. His natural temper was amiable, and his
faults arose from a deference to the opinions of other
however agreeable in a companion, is destructive
energy of character which is called for in days of pe
in a statesman, placed in the station of a leader, is
alike to himself and the state, if his lot be cast amid
flict of parties, and the contending clash of civil war

That era was an age of predictions. The duke of Hamilton w
his doom also by a prediction; a witch told him, says Wishart,
Charles I. would be executed, and he would be his successor; and
—on the scaffold! Mem. of Montrose.

THE

HISTORY OF SCOTLAND.

Book XIV.

Charles I.—Proceedings of Parliament.—Act of Classes.—Charles II. proclaimed.—Precautionary Acts of Parliament.—Patronage abolished.—Scottish Commissioners protest against the proceedings of the English Parliament, are arrested, the protest voted a libel.—Remonstrance of the Scottish to the English parliament.—Scottish Commissioners sent home.—Commissioners sent by the Scots to the King.—Their treatment.—Insurrection in the north.—Marquis of Huntly executed.—Warning by the general Assembly.—Treaty of Breda.—Montrose lands in Caithness.—Defeated.—His execution.—The King arrives.—Swears to the Solemn League and Covenant.—His reception and treatment.—English invade Scotland under Cromwell.—Forced to retreat from before Edinburgh.—The King arrives in the Camp.—Refuses to sanction a proclamation to the invading army.—Hurried to Dunfermline.—The Dunfermline declaration.—Distressed State of the English, Cromwell retreats.—Defeats the Scots at Dunbar.—His declaration.—He takes Edinburgh and Leith.—Estates purge the court of malignants.—The Start.—Cromwell makes overtures for peace.—Proceeds to Glasgow; the troops retire before him.—Remonstrance of the army and ministers.—A Parliament; the King's speech.—Kerr defeated; Strachan deserts to Cromwell.—Malignants admitted into the army.—Edinburgh Castle surrenders to Cromwell.—The King's Coronation.—A Parliament; ultras obtain the ascendency.—Act of Classes rescinded.—The King takes command of the army.—Its excellent position at Stirling.—Cromwell passes at Queensferry, defeats General Holborne, takes Perth, &c.—The King advances into England.—Battle of Worcester.—He escapes to Normandy.—Successes of Monk in the north.—Places garrisons in the principal towns of the Kingdom.—Argyle offers to treat with Monk.—Is forced to submit.—Remonstrants propose peace.—English propose an Incorporating Union.—Cromwell completes it.—Terms advantageous to Scotland.—Distracted state of the Country.—Cromwell forbids General Assemblies to meet.—Rising of Glencairn.—He resigns the Command to Middleton.—Monk disperses his troops; he escapes to Holland.—Glencairn makes peace.—Tranquil state of Scotland under the Protectorate.—Death of Cromwell.—His son Richard succeeds.—Resigns.—Distractions in England.—Monk marches thither.—Appointed Captain General of the forces.—Offers his Services to the King.—Charles recalled by Parliament.—He enters London.—1649—1660.

I. The estates were still sitting when the news of the king's execution reached Scotland; and, probably anticipating some such critical dilemma, had adopted several measures the most likely to sooth the ruling party in England, and secure

BOOK XIV.

1649. Proceedings of parliament.

a majority of those in their own, who were inclined to preserve peace with their neighbours, with whom, in the present exhausted state of the country, it was evident madness to contend. An act was introduced and passed, repealing all acts of parliament or committee made for the late unlawful engagement, and ratifying the protestation against it; and another, THE ACT OF CLASSES, for purging the judicatories and other places of public trust. This last proceeded upon a preamble, which the history of Scotland was doomed wofully to exemplify,—that "the corruption of the judicatories of the kingdom and officers of estate, and other persons of public trust, had been the cause and fountain from whence all their evils had proceeded;" and in order to confirm the assurance given by the committee of estates unto the kingdom of England, that they would not admit any of the authors or abettors of the late engagement to any public place or trust, without the consent of that kingdom against which their engagement was, it declared, that all officers of state, members of parliament, lords of session and justiciary, and all public functionaries, descending even to deacons of corporations, should be secluded from public trust, according to the scale of their delinquency, as settled by the classification from which the act derives its name. Class first—All who had been the chief plotters and prime promoters of the late unlawful engagement, and all who as general officers, led or accompanied the army into England, and all who were chief actors and promoters of the horrid rebellion of James Grahame, and who had afterwards accepted of charge, or joined as volunteers in the expedition. These were for ever to be rendered incapable of any place of trust. Class second —All not comprehended in first class, who have been formerly censured for malignancy, and since, either accepted of charge, or joined as volunteers in the engagement, who were officers in the expedition; all who concurred in petitions, protestations, letters, or remonstrances, for moving the parliament or committees to carry on the engagement; and all who concurred, as members or clerks, in acts of parliament and committee of estates, for prosecuting the said engagement, and pressing others thereto. These were to be excluded, for ten years, from all public employments; and fu

Act of Classes.

Its enactments.

, until they had given sufficient evidence of the change
ıeir malignant principles and practices, and of their firm
ılution and affection to promote the ends of the cove-
t in all times of subsequent trial—whereof the judicato-
of the church and state, respective, having power for that
ct, are to judge impartially, as in God's sight—and have
en satisfaction to the kirk and to both kingdoms, so far
ɔnged by them. Class third—All not included in first
l second classes, who sat in parliament and committee of
ates, and gave no public testimony against the engage-
nt; or who, in committees of war or other meetings, re-
ed or opposed the desires of any petitions against the en-
gement, or concurred in acts to force dissenters, petition-
, and others, to comply with the first or second levies.
ıese were to be excluded five years, and further, till they
ve evidence of their change of principles. Class fourth—
ıich would come with sweeping effect in modern times—in-
ıded all persons given to uncleanness, bribery, swearing,
unkenness, deceiving, or are otherwise openly profane, and
ously scandalous in their conversation, or who neglect the
ɔrship of God in their families. These were to be excluded
r a year, and further, till they gave sufficient evidence of
eir firm resolution and constant endeavour for a good and
ristian conversation.*

11. Could this act have been effectually carried into exe-
ıtion, it would probably have prevented for a while the
ır with England, and might have originated a species of
eocratic oligarchy in the country.† But the numbers com-
'ehended under its penal enactments, rendered it impossi-
e, for any length of time, to put it in execution: it aimed
too much, and was eventually the occasion of the loss of
l. The earls of Lauderdale and Lanark, [now Hamilton,]
mprehended under the first class, escaped to Holland, and

* It might be an amusing speculation to calculate the operation of this last
n of disqualification for office at present, (1825) commencing with the great
ncil of the nation, and carrying it on through all the public bodies, down to
deacons of close corporations.

† It is not probable, however, that peace could have been of any long dura-
, had the clerical power overtopped that of the civil, as the promoting of
ormity might then have produced as bloody, as that of liberality does now
er contests.

BOOK XIV.

1649. Its effects.

joined prince Charles, then lurking there; and they we afterward followed by a number of others, who urged a te rible retaliation when they returned in the train of the kii at the restoration. Meanwhile, it effected the object of s curing a majority for the covenanters, and evinced a stro desire, on the part of the Scottish politicians, to conciliat till the king's death raised such an universal burst of symp thetic feeling, that whatever might be their views of the a vantage of the country, they were under the necessity o complying with its passion. The opinion of the Scottish na tion was ever monarchical, and in all their disputes abou liberty, they never once suggested the possibility of a repub lic; their covenants in the most solemn manner, recognised the principle, and the people, although they discarded the personal *jus divinum* of a king, had never denied the divine authority of kingly government, when exercised according to the word of God, and the constitution of the country. The English sectaries, on the other hand, discarded at once both king and royalty, and thus added another point of dif ference to their growing dissensions with the presbyterians.

III. Had the Scots at this moment possessed the power, there can be little doubt but that they would immediately have declared war against the republicans: but the exhausted state of the country forbade any such attempt, and the only alternative that remained, was to proclaim the son of the unfortunate monarch king in his stead. The party, however, who now predominated in parliament, at the head of which was the marquis of Argyle, and sir Archibald Johnston of Warriston, had a just dread of the principles of the young king; and were anxious to guard, as far as it was possible, against his being placed in a situation to overturn the ecclesiastical establishment, or introduce the despotic maxims of his father; and in their proclamation, while they recognise his hereditary right to the succession, they state the conditions upon which alone he could be allowed to succeed. "The estates of parliament of the kingdom of Scotland, most unanimously and cheerfully, in recognisance and acknowledgment of his [Charles, prince of Scotland and Wales,] just right, title, and succession to the crown of these kingdoms, proclaimed and declared to all the world, that the

Scots determine to proclaim Charles II.

said lord and prince, Charles, was, by the providence of God, and by the lawful right of undoubted succession and descent, king of Great Britain, France, and Ireland, whom all the subjects of that kingdom were bound humbly and faithfully to obey, maintain, and defend, according to the national covenant, and solemn league and covenant betwixt the kingdoms with their lives and goods, against all deadly, as their only righteous sovereign, lord, and king; and because his majesty is bound, by the law of God, and fundamental laws of this kingdom, to rule in righteousness and equity, for the honour of God, the good of religion, and the wealth of his people, it was also declared that, before he be admitted to the exercise of his royal power, he shall give satisfaction to this kingdom in all the things that concern the security of religion, the union betwixt the kingdoms, and the good and peace of this kingdom, according to the national covenant, and the solemn league and covenant, for the which end we are with all possible expedition to make our humble and earnest addresses to his majesty."

Conditions on which he is to ascend the throne.

CHARLES II.

iv. John, earl of Loudon, as chancellor, dressed in a robe of black velvet, read the proclamation [February 5th,] at the cross of Edinburgh, and the Isla and Snawdon heralds sounded the trumpets; but the solemnity was sad and mournful— the recollection of the past was dismal, and to the wise and the reflecting, the coming was anticipated with forebodings still more gloomy.

Proclaimed.

v. Parliament, meanwhile, proceeded to guard, as well as human sagacity could, that constitution for which they had so strenuously struggled, and for which they now so justly trembled; they therefore enacted, as several of those who were with the king, had declared their disavowal of this present as a legal parliament, "that before the king's majesty, who now is, or any of his successors, shall be admitted to the exercise of his royal power, he shall, by and atour the usual coronation oath, assure and declare by his solemn oath, under his hand and seal, his allowance of the national cove-

BOOK XIV.

1649.

Precautionary acts of parliament.

nant, and of the solemn league and covenant, and obligat to prosecute the ends thereof in his station and calling; a that he shall for himself and his successors consent to ag to acts of parliament enjoining the same, and fully establi ing presbyterian government, the Directory of Worsl Confession of Faith, and Catechisms, as they are appro by the general assembly of the kirk and parliament of kingdom, in all his majesty's dominions. And that he sh observe these in his own practice and family, and that shall never make any opposition to any of these, or end vour any change thereof." And also ordained, "that b fore the king should be admitted to the exercise of his roy power, he should leave all counsel and counsellors prejud cial to religion and the covenants, and give satisfaction his kingdom, as it is now constitute, in what further shou be found necessary for the settling of a happy and durab peace, preservation of the union between the two kingdom for the good of the crown, and for his own honour and hap piness; and should consent and agree that all civil matte should be determined by the parliament of the kingdo and all ecclesiastical matters by the general assembly of t kirk."

vi. Whether the Scottish parliament really conceived th it would be possible for them to maintain peace with the En lish, when they recalled Charles to the Scottish crown whi they proclaimed a commonwealth, is an inquiry rather of c riosity than of importance; but this is certain, that some the presbyterians really expected that the taking of the c venants would act like a magical charm, not only upon the i dividual himself, but upon the nations; that it would produc in the prince a complete renovation of character, and a pe fect unanimity and uniformity throughout the whole popul tion of the islands attached to that form. Others were n so sanguine, and in the strict and harsh conditions whic they proposed as the price of the crown, entertained secret wish that Charles would reject them. The ter were evidently such as left the king nothing but the nam and which nothing but extreme necessity would ever indu him to accept. Yet his early education, his dissolute habit and the companions by whom he was surrounded, left to th

Different opinions respecting them.

ians no alternative: happy had it been for them,
ture period, they had not run to the opposite ex-

this parliament, also, patronage in the kirk was
, the restoration of which has been accompanied
nuch dissension; but, while a national church is
d, and its emoluments secured by law, it is difficult
whether the universal suffrage of seat-holders in
a minister, or the simple nomination of an incum-
e living by a patron, be most detrimental to the
of real religion in a parish.*

Patronage abolished.

timation of their procedure was immediately trans-
the estates to the Scottish commissioners at Lon-
instructions to present a remonstrance against that
ch now assumed the supreme authority in Eng-
obedience to their orders, the commissioners gave
paper to the lower house, narrating the origin of
a league, and the success which had attended the
he two nations under that bond; declaring the ad-
f the Scots still to its principles, and protesting
ieir violation by the English commons; who, in

The Scottish commissioners protest against the proceedings of the English commons.

ision of the act deserves notice. "Considering that patronages,
tions of kirks, is an evil and bondage under which the Lord's
ministers of this land have long groaned; and that it hath no
od's word, but is founded only on the canon law, and is a custom
, and brought into the kirk in time of ignorance and superstition:
same is contrary to the second book of discipline, in which upon
d ground, it is reckoned among abuses that are desired to be re-
nto several acts of general assemblies: And that it is prejudi-
erty of the people, and planting of kirks, and unto the free call-
s of ministers unto their charge: And the said estates being
esirous to promote and advance the reformation foresaid, that
the house of God may be ordered according to his word and
t." "Doe discharge for ever hereafter, all patronages and pre-
kirks, whether belonging to the king, or to any laicke patrone,
or others within this kingdom as being unlawfull and unwarrant-
s word, and contrary to the doctrine and liberties of the kirk;"
ed that whosoever hereafter, shall upon the suit and calling of the
after due examination of their literature and conversation, be ad-
presbytery, unto the exercise and function of the ministry of
at the said person, or persons, without a presentation, by virtue
sion, hath sufficient right and title to enjoy the manse and gleibe."

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1649.

opposition to their dissent and protestation, had removed his majesty by a violent death, published acts prohibiting Charles Prince of Wales from being proclaimed king, and after many members of that house had been imprisoned or excluded by force, had voted away both the kingly office and the house of lords; claimed the authority of a parliament, and, under the colour of that authority, arrogated the power of repealing all oaths of allegiance or obedience whatsoever, not excepting the covenant, from which no power on earth could absolve the conscience.—"If," added they, "the honourable houses of the parliament of England who made the declarations and engagements with us, had been permitted to sit and act with freedom, we know there would have been no such proceedings as we have already seen, nor cause to fear such dangerous evils and strange alterations as are now carried on by will and power. We may confidently say, they would have been more mindful of their many declarations, and of the solemn league and covenant, and more ready to hearken to the advice of their brethren in Scotland; and, however, no regard hath been had by those who now rule to what we have formerly said, and so we have small hope that any great notice shall be taken of what we shall further say: yet, in pursuance of the instructions we have received from the parliament of Scotland, we hold it our duty to desire that there be no toleration of idolatry, popery, prelacy, heresy, schism or profaneness—that there may be nothing done which may wrong king Charles II. in his succession, as righteous heir of the crown of these kingdoms; but that, by the free counsels of both houses of parliament, reformation of, and uniformity in religion may be settled according to the covenant: and particularly, that presbyterial government, the Confession of Faith, and Directory for Worship, may be established—that the just right and title of the king, Charles II. to the crown of these kingdoms may be acknowledged; and, upon just satisfaction given to both kingdoms, he may be received and admitted to the exercise of his government; and if, notwithstanding all our earnest desires and endeavours to the contrary, the commons now sitting at Westminster shall proceed otherwise, in all or in any of these particulars aforesaid, we

ereby, in the name of the parliament and kingdom of Scotnd, dissent from the same; and solemnly protest, that they ay be free before God and man of the guiltiness, evils, nfusions, miseries, and calamities, that may follow therepon to these distracted kingdoms."

IX. Immediately upon delivering their protestation to the peaker, the commissioners left London without taking leave, nd proceeded to Gravesend, to depart for Holland, on an emassy to the king, in obedience to the order of the estates: but the commons, on the letter being communicated to them, sent a private guard, who arrested them as they were about to embark, and confined them prisoners to the Blockhouse. They also voted "that the paper of the Scottish commissioners did contain much scandalous and reproachful matter against the just proceedings of the parliament, and an assuming, on the behalf of the kingdom of Scotland, power of the laws and government of England, to the high dishonour thereof; that the design of its contrivers and subscribers was to raise sedition, and lay the grounds of a new and bloody war in the land, and to second their late perfidious invasion; and that all persons in England and Ireland who should join with or assist the said contrivers or subscribers, on the grounds laid in that paper, were traitors and rebels, and should be proceeded against as such."

Leave London—are arrested by order of the commons,

who vote the protest a libel.

X. A copy of this insulting act was sent to the parliament of Scotland, desiring to know if they would acknowledge and adhere to the protest of their commissioners. The Scottish parliament returned a dignified and temperate reply, owning the paper as agreeable to their instructions. "They could not," they said, "but give testimony against these things which they conceived to be contrary to the grounds and bonds, so often acknowledged and declared by both kingdoms, lest their silence should be esteemed a compliance; or they thought in any way accessory to those great alterations, and the dangerous consequences that might ensue." "They, at the same time, disclaimed all intentions to assume any power over the government and the laws of that kingdom, or any wish to raise sedition or war, or do any thing in pursuance of the late unlawful engagement. They only adhered to their former principles acknowledged by both

Scottish parliament adhere to the protest.

BOOK XIV.

1649. Their answer to the English parliament.

kingdoms. And so tender were they of the union betwee— the nations, that they thought remonstrances against th breaches of peace craving just reparation, and all amicab and fair means should be first, and before any act of hosti ty commenced, which, according to the large treaty, co not take place without three months' previous notice: a however any prevalent party in either kingdom had infring ed, or might break these bonds, they did not think it either agreeable to God's will, or conducible to the welfare of the nations, to lay these sacred ties aside as dissolved and cancelled; but rather, that they should be preserved for the good of both kingdoms, the benefit of those who had no accession to such breaches, and of succeeding generations. But while they hoped that none could justly blame them for their continuing constant in their former judgments and principles, they conceived that could far less be any ground for restraining their commissioners, contrary to the public faith, and the law of nations, by which the freedom of ambassadors and commissioners is sacred and inviolable, not only betwixt christian, but even amongst heathen kingdoms and states; they, therefore, desired that their commissioners might be freed from all restraint, and allowed to return in what way they thought fit." On receipt of the Scottish parliament's communication, the English house of commons added insult to injury; instead of bending to conciliatory measures, and allowing the commissioners to proceed—as they were bound to do—by any route they chose, they sent them with a troop of horse to Berwick, and dismissed them uncere-moniously at the bound-road.*

Their commissioners dismissed at Berwick.

XI. Standing in the most delicate and trying situation possible, the Scottish covenanters displayed a magnanimous affection for the race of their hereditary monarchs, which had been meritorious, had it not been so wretchedly misplaced. They immediately despatched a messenger, sir Joseph Douglas, to Charles, at the Hague, where he then was, to announce his proclamation, and inform him that commissioners from the parliament and the kirk, were speedily to follow with the conditions of his recall. These commissioners

* Scottish Acts, vol. vi. Whitelock, p. 378, et seq.

re the earl of Cassilis, the laird of Brodie, Mr. Alexander Fray, bailie of Aberdeen, and Robert Barclay, provost of rine, from the state; and Mr. Robert Baillie, and James 'ood, ministers, and George Winram of Libberton, ruling ler from the kirk. They found Charles surrounded with unsellors, whose views were more accordant with his in- ination; and while he received the deputation politely, and fected to enter into confidential conferences—flattering iem by the deference with which he seemed to listen to ieni—he was encouraging more sincerely, the plans of those ho promised to replace him on the throne of his fathers, n unshackled plenitude of power. Ormond and the ca- holics still held out in Ireland, where a transient gleam of uccess was urged by his English advisers, as a fortunate omen, and he had consented to embark and put himself at heir head. Montrose undertook with his usual extrava- gance, to establish his throne by arms, and received a com- mission to levy troops for a descent. Lanark and Lauderdale, although banished their country by the act of classes, re- commended acceding to the propositions of the commission- ers; but Charles, who intended to answer them from Ire- land, procrastinated till the time allowed them had expired, and they returned to Scotland without an answer. Charles himself was soon after obliged to leave Holland on account of the assassination of Dorislaus, the English ambassador, by the emissaries of Montrose,* and renounce all hope from

1649.

Send commissioners to Charles.

His deceit.

They return without an answer.—

Charles leaves Holland.

* Deliberate, revengeful assassination was acted upon, and justified at this time by the royalists, as a sacred duty they owed to their religion, the memory of their martyred king, and their loyalty to his hopeful successor. Besides the mean, unmanly murder of Dorislaus, committed under the immediate superintendence of Montrose, and almost in the presence of the king, a more atrocious one was perpetrated on Mr. Ascham, at Madrid, by five Englishmen. They obtained admission to him while at dinner, and in the act of receiving them courteously, one of them struck him to the heart, the Spaniard who sat with him at table, in trying to escape, was also stabbed in four places, and died immediately. The assassins, glorying in the deed, sought refuge in a church; and when taken from it by order of the Spanish king, declared they would have murdered the resident in the royal presence, if they had no other opportunity. Thurlow, vol. i. p. 150. Another more indefensible still, as originating solely from a principle of the most cool systematic revenge, was, after the restoration, committed in Switzerland, upon a defenceless, wandering exile, John Lisle, Esq. at Lausanne, (Ludlow, p. 398.) whose blow was doomed to a melancholy fate, even exceeding in guilt, by Judge

BOOK XIV

Ireland, where the victorious Cromwell had extinguished the last flashes of loyalty.

1640.

XII. Pending the negotiation, the ultras with that stern perversity which ever marked their measures, were active for the unconditional reception of their master: with premature and irregular zeal, they excited mutiny in the garrison of Stirling, while their partisans in the north flew to arms and seized upon Inverness.* The insurgents were directed by lieutenant general Middleton, and consisted of the Mackays, with lord Rea at their head, and the Mackenzies, under Pluscardine; they kept possession of the northernmost districts from the month of February till May, when a party sent against them by lieutenant general Leslie, under the immediate command of colonel Kerr, and lieutenant colonel Hackett and Strachan, attacked and routed them, with a loss of between sixty and eighty killed, and nearly eight hundred taken prisoners, among whom were lord Rea, the chief of his officers, and several gentlemen of the clan of Mackenzie, who were sent to Edinburgh.† These unconnected and ill concerted measures, were only productive of mischief, and hastened the fate of the marquis of Huntly, who was about this time executed in pursuance of a former sentence. He had refused, it was said, to come out when the Hamiltons were in power, without a trial, and now all the influence of Argyle, his brother-in-law, was insufficient to avert his fate. He had been turbulent, was powerful, and had uniformly supported the highest pretensions of the king. His own religion was professedly episcopalian; "but the most of his children," says his historian, "through the iniquity of the times, turned popish."‡

Insurrection in the north.

Quelled.

Marquis of Huntly executed.

Jeffries. Vide Hume's Hist. vol. viii. Yet writers who pass over, as trivial matters, these systematic assassinations by the adherents of Charles, know no terms sufficiently strong to mark their abhorrence of archbishop Sharpe's unpremeditated murder, by men goaded to madness by oppression, whose unmerited sufferings met with no sympathy, and whose wrongs were denied all redress.

* This rising was with the knowledge of the king, who following up his father's fatal politics, imitated him in the multiplicity, as well as in the perfidy of his plots. Vide Letters to Mackenzie of Pluscardine. Appendix to Wishart's Mem. of Montrose, No. xii.

† Scottish Acts, vol. vi. Balfour, vol. iii. p. 406, et seq.

‡ Gordon's Hist of the House of Gordon, vol. ii. p. 575.

xiii. When the general assembly met [July,] they follow- General assembly censures the engagers.
ł up the measures of the parliament against the engagers, y ecclesiastic censures; and at the same time "issued a seaonable and necessary warning, concerning the present and mminent dangers, and the duties connected with the state of the kingdom." In it the members avowed their loyalty, lamented the events which had taken place in England, declared their enmity to the malignants, and bewailed that through their influence, the king had hitherto been prevented from granting the just desires of the church and kingdom, for securing religion and the liberties of the people: they professed it to be their duty to use every effort for extricating him from the snare of evil counsel, and stated their determination—probably in allusion to the repeated projects of Montrose—to resist and oppose his majesty, or any, having, or pretending to have commissions from him, should they invade the kingdom under pretext of establishing him in the royal power; and they called public attention to principles which reflect equal honour on the wisdom and patriotism of the ministers, nor will suffer by comparison with the most enlightened political axioms of any period. "1st, That as magistrates and their power are ordained of God, so are they, in the exercise thereof, not to walk according to their own will, but according to the law of equity and righteousness, as being the ministers of God, for the safety of his people." "Therefore," they add, "a boundless and unlimited power is to be acknowledged in no king or magistrate; neither is our king to be admitted to the exercise of his authority, as long as he refuses to walk in the administration of the same, according to this rule, and the established laws of the kingdom. 2d, That there is a mutual obligation and stipulation betwixt the king and his people. As both of them are tied to God, so each of them are tied one to another, for the performance of mutual and reciprocal duties. 3d, That arbitrary government, and unlimited power, are the fountains of all the corruptions in church and state. 4th, That it is no new thing for kingdoms to preserve themselves from ruin, by putting restraint upon the exercise of ie power and government of those who have refused to

Their warning.

BOOK XIV.

1649.

grant the things that were necessary for the good of r gion, and the people's safety." In the same manly and tional strain they addressed a letter of similar import to king.

xiv. Expelled from Holland, Charles proceeded to Fra but his reception was cold and ungracious; and after c doling with his mother at St. Germains, over their comm misfortunes, he sought a retreat in Jersey, convinced t no prospect remained of obtaining a throne, but from Sc land. Thither the Scottish parliament despatched sir Geor Winram to renew their negotiations upon the same con tions as those formerly transmitted to him at the Hag

1650. He was received graciously, and a favourable answer giv From Jersey, the king removed to Breda, where early n

Treaty concluded with the king at Breda.

year, the treaty for his return was concluded by the earls Lothian and Cassilis, notwithstanding the strong rem strances of his English counsellors; who perceiving th selves excluded from any share in the government, wo rather that their prince should have continued the wander phantom of a king, dependant upon the bounty of oth than have seen him ascend a throne, from whose precin they were forbidden. Lauderdale with more political gacity, urged the hopelessness of his situation, the absurd of sacrificing his crown to the mitre, and the strong pro bility of his being able when in the country, to get the har ness of the terms smoothed down; and the effects which reception in Scotland would have upon the loyal adhere of his family in England,—with whom it would be much eas to hold communication—who would acquire additional con dence from his proximity, and be prepared to rise, in ca of hostilities between the two kingdoms, which he certain prognosticated would be the consequence of his majesty landing in Scotland.

xv. While Charles, however, acceded to the force of the arguments, with a duplicity hereditary in his race, he urge Montrose to accelerate his preparations for a descent—th only way left in which that nobleman could hope to obtain fo ing in his native country, or serve his sovereign; the gover ing powers being wholly irreconcilable to him, as the author

Montrose urged by Charles,

some of their most severe calamities, and labouring under the malediction of the church.* The marquis, whose ambition

1650.

* At his departure for Holland, Charles sent the following letter, which fully justified the worst suspicions of the covenanters, exhorting him not to allow the treaty to interrupt his preparations, as he could at any time break it, having addressed his reply to the estates in so equivocal a manner, that whenever he found it convenient, he could disavow that he had ever acknowledged their legality:—"Right trusty, and entirely beloved cousin, we greet you well. An address having been made to us from Scotland by a letter, whereof we send you a copy, in which they desire that we should acknowledge their parliament, and particularly the two last sessions of it, and, thereupon, offer to send a solemn address to us, for a full agreement; we have, in answer thereunto, returned our letters to them, a copy whereof we likewise send you here enclosed, by which we have appointed a speedy time and place for their commissioners to attend us; and to the end you may not apprehend that we intend, either by any thing contained in these letters, or by the treaty we expect, to give the least impediment to your proceedings, we think fit to let you know, that as we conceive that your preparations have been one effectual motive that has induced them to make the said address to us, so your vigorous proceedings will be a good mean to bring them to such moderation in the said treaty as probably may produce an agreement, and a present union of that whole nation, in our service. We assure you, therefore, that we will not, before or during the treaty, do any thing contrary to that power and authority which we have given you by our commission, nor consent to any thing that may bring the least degree of diminution to it; and if the said treaty should produce an agreement, we will with our uttermost care so provide for the honour and interest of yourself, and of all that shall engage with you, as shall let the whole world see the high esteem we have of you, and our full confidence in that eminent courage, conduct, and loyalty, which you have always expressed to the king, our late dear father, of blessed memory, and to us both, by your actions and sufferings for our cause. In the mean time, we think fit to declare to you, that we have called them a committee of estates, only in order to a treaty, and for no other end whatever; and if the treaty do not produce an agreement, as we are already assured that the calling of them a committee of estates in the direction of a letter, doth neither acknowledge them to be legally so, nor make them such, so we shall immediately declare to all our subjects of Scotland, what we hold them to be, notwithstanding any appellation we now give them, thereby to satisfy them and the whole world, that we desire to reduce our subjects of that kingdom to their due obedience to us, by our just and honourable condescensions, and by all endeavours of kindness and favour on our part, rather than by war and hostility, if their treasonable demands do not necessitate us to that, as the only way and remedy left us.—We require and authorize you to proceed vigorously and effectually in your undertaking, and to act in all things in order to it as you shall judge the most necessary for the support thereof, and for our service in that way, wherein, we doubt not, but all our loyal and well affected subjects of Scotland will cordially and effectually join with you, and by that addition of strength, either dispose those that are otherwise minded to make reasonable demands to us in the treaty, or be able to force them to it by arms, in case of their obstinate refusal. Communicate and publish this our letter to all such persons as you shall think fit."

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was inflamed by some wizard's prophecy, that his arm was destined to work the deliverance of his country, and fix the tottering fortunes of the throne, was not backward. Before the treaty was ratified—which Charles artfully kept open till he should hear of the success of his attempt—having obtained a little eleemosynary aid from Sweden and Denmark, he had assembled a small band of foreigners and Scottish exiles, and set sail from the Elbe for the Orkneys early in the spring. Here he continued for a considerable time, and increased his army by forced levies, but the men were heartless in the cause, and unaccustomed to warlike habits; what he gained in numbers he lost in strength, by the confusion an undisciplined rabble necessarily occasions in military movements. He disembarked at the extremity of Caithness, but instead of receiving any accession to his force, the inhabitants, who had heard of his former ravages, fled at his approach, and spread universal dismay throughout the country, by their reports of the foreigners who accompanied him. As he advanced, he endeavoured to arouse the people by a violent proclamation, accusing the ruling party, "of having most infamously, and beyond all imaginable expression of invincible baseness, to the blush of christians, and abomination of mankind, sold their sovereign over to their merciless fellow-traitors to be destroyed;" "and of being so little touched with the guilt of all these villanies, as to begin with his majesty upon the same scores they left with his father, declaring him king with provisos." At the same time, affecting to despise them as a small and insignificant party, he promised his majesty's pardon to all who had been deluded by them—excepting only the accessories to the horrible fact of his father's murder—and called upon all who had any duty left them to God, their king, country, friends, homes, wives, children, or would change the tyranny, violence, and oppression of the rebels, for the mild and innocent government of their just prince, or avenge the execrable murder of their sacred king, to come as christians, subjects, patriots, friends, husbands, and fathers, and join in that present service, resolving, with Joab, to play the men for their people, and the cities of their God! The committee of estates, with even greater virulence, answered, "The slanders

Lands in Orkney;

In Caithness.

His proclamation.

1650.

roundless reproaches of that viperous brood of Satan, Graham, whom the estates of parliament had long declared traitor, the church delivered into the hands devil, and the nation generally detested and abhor-

Answer of the estates

But before these mutual recriminations were ex-ed, the fate of Montrose was decided.

Government had expected the invasion, and ordered han, with a body of horse, to oppose his progress, till ge- Leslie, with the remainder, and Holborne, with the foot d arrive. Montrose proceeded slowly without cavalry gh the plain country; but on hearing of the enemy's ap- h, advanced to gain the pass of Invercarron. Strachan reviously advanced beyond it, with his force divided into bodies; the first was repulsed by Montrose in person, who s own van; but when the second, headed by Strachan lf, sounded the charge, the islanders, terrified at the , threw down their arms, and called for quarter. The ans retreated to a wood, where, after a short defence, urrendered; and but few of the whole army escaped be- illed or made prisoners. The standard of Montrose— , in imitation of that carried before the unfortunate Mary, he portrait of the late decapitated king, with the same , "judge and revenge my cause, O Lord,"*—was found e field, together with his cloak and star, his sword, and arter with which he had been lately invested. The uis himself, when he saw that the day was irrecovera- st, after he had got clear of immediate pursuit, ex-ed clothes with a highlander, and wandered among ills for several days, till, exhausted by hunger he himself upon the generosity of Macleod of Assint, ad been formerly one of his own followers; but the e of the wretch could not withstand the temptation of ward, and he delivered his unfortunate friend to gene- eslie.

His army totally routed.

He is treacherously delivered to Leslie.

I. Civil wars, exasperated by religious differences,

e adoption of a device so familiar to all the covenanters, said as little fertility of Montrose's genius, as for his judgment. It recalled to re- nce times, circumstances, and doctrines, which it was the interest of latists to have buried for ever in oblivion, or at least as long as episco- d popery were considered as congenial religions.

BOOK XIV. 1650.

have always been distinguished by traits of inhuman insult towards the captives, from which international wars in modern times have in general been exempted; and it was not to be expected that an enemy, who had shown so little magnanimity in success, should be treated with much tenderness or respect in misfortune; yet I cannot discover that Montrose was, during his progress as a prisoner, treated with any marked insult; once he had very nearly escaped;* and at

* It was at the house of the laird of Grange, near Dundee, the author of the Memoir of the Somervilles, mentioning the old lady Grange, thus details the circumstance:—"It was at this ladye's house that that party of the covenanters, ther standing armie that gairded the marques of Montrose, after his forces was beat, and himself betrayed in the north, lodged him; whom this excellent lady designed to sete at libertie, by procureing his escape from her house. In order to this, soe soon as ther quarters were settled, and that she had observed the way and manner of placeing of the guairds, and what officirs commanded them, she not only ordered her butlers to let the soldiers want for noe drink, but she herself, out of respect and kyndnesse, as she pretended, plyed hard the officirs and soldiers of the main-guaird—which was keped in her oune hall—with the strongest ale and aqua vitæ, that, before midnight, all of them (being for the most part highlandmen of Lawers' regiment) became starke drunke. If her stewarts and other servants had obeyed her directions, in giveing out what drinke the out guairds should have called for, undoubtedly the business had been effected; but unhappily, when the marquis had passed the first and second centinells, that was sleeping upon ther muskets, and lykeways through the main-guaird, that was lying in the hall lyke swyne on a midding, he was challenged, a little without the outmost guaird, by a wretched trouper of Strachan's troupe, that had been present at his takeing. This fellow was none of the guaird that night; but being quartered hard by, came rammelling in for his bellie full of drinke, when he made this unluckie discovery: which being done, the marques was presently seised upon, and with much rudenesse (being in the ladye's cloaths, which he had put on for a disguise,) turned back to his prisone-chamber. The lady, her old husband, with the whole servants of the house, were made prisoners for that night; and the morrow after, when they came to be challenged before these that had the command of this party, and some members of that wretched committie of estates that satt always at Edinbrough (for mischieff to the royall interest) whilk they had sent for the more security, to be still with this party, fearing that, by the great frinds and weill wishers this noble heroe had upon the way he was to come, he should, either by force or strategeme, be taken from them. The ladye, as she had been the only contriver of Montrose's escape, soe she did avoue the same before them all, testifying she was heartily sorry it had not taken effect according to her wished desyre. This confidence of hers, as it bred some admiratione in her accusers, soe it freed her husband and the servands from being farder challenged; only, they took security of her laird, for his ladye's appearing before the committie of estates when called, which she never did. Ther worships got somethíng else to think upon."

ndee, stigmatized as the most fanatical town in the north, l which certainly owed him no kindness, his own histo- ns are constrained to confess, he was received with gener- s commiseration, and furnished with apparel becoming i rank. His reception in the capital was that of a con- mned and excommunicated traitor: on the 18th May, four o'clock, he was brought in at the Watergate, and es- rted through the streets bareheaded in a cart, the hangman his livery driving it, and the other prisoners walking two d two before; but the populace viewed the procession in lence, or, melting into tenderness at the affecting spectacle, rgot for the moment the ferocious conqueror in the degrad- l captive. His sentence, the one usual in cases of treason, s already passed in parliament on his former attainder. hen brought up to receive it, the earl of Loudon, chan- llor, reminded him "of his breach of the solemn engage- ents, by which himself and the whole nation were bound, d of which he had once been so zealous a promoter; of s late rebellion against his native country, and his present asion; and of his introducing into the bowels of the land e Irish insurgents, men accustomed to deeds of horror, th whom he had committed every species of rapine, de- station, and blood." The marquis, on being permitted to eak, addressed the estates; he told them, "that as he un- rstood the king had owned them so far as to treat with em, he considered them as sitting by his authority, and, erefore, he condescended to appear bareheaded before em, which otherwise he would not willingly have done; confessed his engaging in the national covenant, to which," said, "he had adhered, until he discovered that, under tence of reforming some errors in religion, and preserv- g public liberty, it was intended to abridge, and take away e king's lawful authority, and usurp it themselves; but as the solemn league, he had never sworn, and, therefore, d never broken that bond, which he rejoiced he had never ne, when he witnessed the sects and divisions it had oc- sioned, and the mischief it had brought upon the country. e had taken up arms at first," continued he, "by com- nd of the late king, by whose command he had also laid m down, and without any regard to his own interest, re-

His reception at Edinburgh.

Remarks of Loudon on passing sentence.

His reply

BOOK XIV.

1650.

tired beyond seas; but he denied that he ever had shed blood, except in the field of battle, and even in the greatest heat of action, he had preserved the lives of many thousands. As to his late invasion, he had entered Scotland by the express orders of his present sacred majesty—to whom they all owed their duty and allegiance, and for whose long and happy reign he offered his sincere and earnest prayers—in order to accelerate the treaty that was betwixt them, his majesty being assured that whenever he should have agreed with them in a firm and lasting peace, he would be ready to lay down his arms, and retire at his call; so that he might justly affirm that no subject had ever acted upon more honourable grounds, nor by a more lawful power and authority, than he had done in the several expeditions undertaken by him for the service, and at the command of the two best of kings. In conclusion, he entreated them to judge of him as a man, as respected the cause in which he had engaged; as a subject, with regard to the execution of his master's commands; and as one to whom they lay under many obligations, for having preserved their lives and fortunes, when he might have destroyed both." The chancellor replied, by recapitulating his acts of hostility, which "proved him to be a person the most infamous, perjured, and treacherous, his country had ever produced; a most cruel and inhuman butcher and murtherer of his nation, and one whose boundless pride and ambition had lost the father, and, by his wicked counsels, had done what in him lay to destroy the son." Montrose made no reply, only he sighed twice deeply, and "rolled his eyes alonges all the corners of the house." He heard his sentence on his knees without any apparent emotion, and afterward told the magistrates, who waited on him in prison, "that he was much indebted to the parliament for the great honour they had decreed him," adding, "that he was prouder to have his head fixed upon the top of the prison, than if they had decreed a golden statue to be erected to him in the market place, or that his picture should be hung in the king's bedchamber." He said, "he thanked them for their care to preserve the remembrance of his loyalty, by transmitting such monuments to the principal parts of the kingdom; and only wished he had flesh enough

nt a piece to every city in christendom, as a testimony inshaken love and fidelity to his king and country." ; the night, he turned this sentiment into verse, and he lines with a diamond on the window of his jail; a f not of great poetical genius, at least of considerable ıure of mind.* He rejected with disdain the atten- ɔf the ministers, who endeavoured to impress on his ıe guilt of the innocent blood he had shed, and of the s he had inflicted on his unoffending countrymen— thorted him in vain to repentance, in the prospect of his proud heart refused to yield; he gloried in the he had pursued, and consoled himself with the idea mperishable renown.

ı. On the morning of the day on which he suffered, May,] hearing the sound of trumpets and drums, he the captain of the guard what it meant? upon being ıat it was to call out the soldiers and citizens to arms, parliament were afraid of the malignants raising some ance at his execution,—"What," replied he, "do I as such a terror to these good men when alive, con- still so formidable to them now when I am about to Soon after, when in the act of combing his hair, one council observing him, made some remark on his oc- ın—"So long," he answered, "as my head's my own, ss it as I choose; to-morrow, when you get it, you may as you please." About two o'clock of the afternoon, he l to execution, dressed in scarlet and gold, and walked firm step to the scaffold. The gibbet was thirty feet ın which his body was condemned to be exposed three

bjoin the verses, that the reader may judge for himself. They have sed and dispraised in the extreme.

"Let them bestow on every airth a limb,
Then open all my veins, that I may swim
To thee, my Maker, in that crimson lake;
Then place my parboiled head upon a stake.
Scatter my ashes—strew them in the air—
Lord, since thou knowest where all these atoms are,
I'm hopeful thou'lt recover once my dust,
And confident thou'lt raise me with the just."

BOOK XIV.

1650. His speech at the place of execution.

hours; but he viewed it with unaltered countenance, and dressed the spectators in an audible, unbroken voice:—"I expected that such as knew him perfectly, would not estee him the less for his present sufferings; many greater a more deserving men than he had undergone a similar fa What he had done in the kingdom, he said, was agreeab to the laws of the country, and undertaken in obedience the commands of the sovereign; and his principal study h always been to fear God, honour the king, and respect t laws. He was sorry that it should be objected to him b many good people, as a crime, that he died under the gri vous censure of the church; but for that he was not blame, he had incurred it only by performing his duty to b prince, for the security of religion, and the preservation the royal person. He then defended the character of t late martyred king, and, adverting to his son, he reckon that that people would be the happiest upon earth, w should have the good fortune to live under the just and m ciful government of his present majesty! who was a gr lover of justice, which he sacredly preserved! religiou bound by his promises! nor would ever condescend to c ceive! He hoped none would impute his present condu to pride, he followed the light of his own conscience, as was directed by the rules of true religion, and right reaso pointed out to him by the unerring Spirit of God, who, o of his great goodness and mercy, had supplied him abundan ly with the virtues of faith and patience, by the assistance c which, he was enabled to meet death even in its foulest shape with courage, and to sist himself before the throne of Go full of hope and confidence, that the Lord would be glorifie even by his condemnation on earth." He concluded by re commending "his soul to God, and his reputation to hi country." When he had finished, the History of his Wars and his late Declaration, were hung round his neck by th hangman; to whom he said, "though it had pleased his ma jesty to create him a knight of the most noble order of th garter, yet he did not consider himself more honoured by it than by the cord and the books which were now put about him." On his arms being bound, he asked if they had

further ignominy to inflict, for he was willing to undergo it. His last words were, "may God have mercy upon this afflicted kingdom."*

XIX. Montrose was thirty-eight years of age at the time of his execution. His renown as a great commander, he owed chiefly to the legendary tale of Wishart, and the exaggerated reports of the royalists of his day; for when calmly considered, his mighty triumphs dwindle into the daring exploits of a "Reaver," successful only when opposed by an unofficered and undisciplined peasantry. He was brave, capable of enduring fatigue, and possessed those qualities, which would have perhaps rendered him a valuable partisan in guerilla warfare; although even in that it is doubtful how far he would have been able to cope with an active enemy, as his surprises at Fyvie and Philiphaugh evince him to have been deficient in vigilance, the first quality in a military mind of the lowest order. Actuated entirely by motives of personal ambition or revenge, he possessed none of that elevated love of glory which despises the gratification of private animosity, and seeks in success rather to humble an enemy by favours than waste him by retaliation. It would be difficult, I believe, to point out any act of disinterested generosity of his towards the vanquished, which deserved to be remembered when he himself was overcome.

His character.

XX. Circumstances of torture, or of unnecessary ignominy attending the infliction of the last punishment, as they always carry with them an appearance of vengeance, are calculated to destroy the ends of justice—they excite rather pity for the sufferer than detestation at his crime; and although Montrose undoubtedly deserved to die the death of a traitor, the few particulars of additional ignominy which were added by his justly exasperated judges—to express their abhorrence of a man, who, after having so terribly ravaged his native land, had, during existing negotiations,

Cause of his ignominious treatment.

* This account of Montrose's last moments is copied from Wishart; nor has it ever, so far as I know, been contradicted; although I believe it has been considered as pretty highly coloured. But there is a measured form in the enthusiasm of the Marquis's last speech, far different from the living language—the very breath of reality—which we shall afterwards find in the ruder dying words of more humble names.

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endeavoured to renew similar scenes—have been seize upon to throw around his merited execution a false, fac titious, and sympathetic lustre. But the prevailing party the presbyterians had, besides, another motive to indu them to treat Montrose in the manner they did; they we divided by the discovery of the king's treachery: the mc rigid—of whom the leaders were Warriston and sir Jo Chiesly—wished to break off all intercourse with the fai less Charles, while Argyle persevered in his loyalty; a they both were necessitated to concur in expressing t sense they had of the duplicity of their prince, by the p nishment they inflicted on his confidential emissary, again whose being employed in any manner they had partic larly instructed their commissioners to insist: the first, t justify their opposition; Argyle, to avoid the imputation c collusion.*

Execution of his followers

XXI. His principal officers followed him to the scaffol Hurry, who had alternately served and deserted all partie fell without a regret; along with him suffered Spottiswoo the archbishop's grandson. Sir Francis Hay of Dalgetty, Roman catholic, was more justly lamented, as he had brok no oaths, and acted from a principle of loyalty to his prin and fidelity to the chieftain whose fortunes he followed; was beheaded by the maiden, an honour denied his co mander, but he requested his body might share in the ho our or disgrace of the same grave. Lord Frendraught, escape the ignominy of a public execution, starved himsel As the king disowned authorizing any invasion of Scotlan the executions, which were few, cannot be pronounced un just; and certainly, if compared with the punishments whic followed Pentland, cannot be called cruel.

XXII. Charles at first appeared inclined to resent the execution of Montrose, as an infraction of their treaty; but when he was given to understand that his commission to that nobleman was in the hands of the presbyterians, he quietly acquiesced; and as he saw that no more favourable conditions were now to be expected, he complied with every requisition,

* Balfour, vol. iv. p. 15, 16. Baillie, vol. ii. p. 345. Wishart, p. 38 et seq. Whitelock, p. 439, 453, et seq. Burnet, vol. i. p. 72.

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embarked for the land of his fathers, and arrived at the mouth of the Spey about the middle of June. He was accompanied by the duke of Hamilton and the earl of Lauderdale, who, though proscribed by the act of classes, were, from their conduct during the negotiation, permitted by the parliamentary commissioners to pay this mark of respect to the king. Before he landed he was required to take the solemn league and covenant; but Livingstone, who administered it to him, entertained strong doubts of his sincerity, and vainly attempted to render the bonds more binding upon his conscience, in proportion to the reluctance he showed to receive them: a procedure of which it is difficult to appreciate the criminality, or to say to whom the deepest guilt belongs; whether to those who, taking advantage of a prince's necessities, forced him to swear to what they knew he had no intention of performing, or his who, with the settled resolution of breaking it the first favourable opportunity, took an oath which he abhorred, and deliberately called upon God to witness the fraud.

Charles arrives.

Swears to the solemn league and covenant.

XXIII. The expedition of Montrose had not tended to remove any of the asperities which existed: the committee of estates, after conference with the commissioners of the church, recommended to parliament, that a deputation should be sent to congratulate the king upon his arrival, and show his majesty how glad his people were to hear that it pleased God to move his heart to give satisfaction to their desires; but it was coupled with the unpalatable intimation, "that it would be very acceptable to them, that to testify the reality of the change, he would forsake and abandon the company of malignants; that his domestic servants, and such as were about him, might be well affected to the cause; that such as were otherwise should be removed, and put from him, but in a fair and discreet way; and recommending that the duke of Hamilton, and the earls of Lauderdale and Forth, [Ruthven, lord Brentford,] should be of the number." The Scottish nobles were permitted to retire to their homes. The English attendants, among whom were the duke of Buckingham, lord Wilmot, and the earl of Cleveland, were ordered to leave the country; as their religion, however, was of that compliant order, which seldom opposes interest, they con-

Estates send to congratulate him on his arrival.

Require him to dismiss the malignants from his service.

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formed, and were allowed to remain, and to treat with secr[illegible] ridicule the piety they outwardly pretended to respect.

XXIV. If the trappings of state had constituted the re[illegible] ties of kingship, Charles enjoyed them in as high a deg[illegible] of splendour as the most admired of his predecessors in t[illegible] proudest hour of their exaltation; he was approached wi[illegible] the most humble expressions of submission, his equipage was rich, his attendants numerous, and the whole ceremonial of his court adjusted with the most punctilious regard to his dignity; but of the essentials of sovereignty he was necessarily deprived: nor did the personal safety of the present party in power, nor the eventually possible preservation of the country, admit of its being otherwise. Alienated as Charles was in religion—for he was at this very time a Roman catholic proselyte—and in disposition from the presbyterians, whose forms he thought unfit for a gentleman, and whose manners comported ill with his own licentiousness, no confidence could be expected between the parties; and their mutual distrusts were equally well founded, for they had each separate interests and ends in view. Charles wished to make Scotland a steppingstone to aid him in mounting the throne of his three kingdoms, to attain which, he was willing to submit for the time to any conditions, however repugnant to his temper and habits. The ruling party in Scotland wished to secure their religious establishment and civil institutions, and if possible to preserve peace with England: this, they knew, could never be done, if either the engagers or malignants obtained the smallest share of the government, and therefore both the church and present parliament united to keep them out, and so far their conduct was both rational and politic.

Causes of distrust between the king and the ruling party.

XXV. Possession of the king's person, in the then state of the country, was of the last importance; and to preserve it, the presbyterians made use of those methods, which although not the most pleasant to the prince, were what they thought the most profitable, and which the peculiar circumstances of the case fully warranted. A dissolute court, the only one that would have been according to Charles' taste, was what could not be tolerated while the eyes of the sectaries, men equally strict in point of morals with themselves, were fixed

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m them; they therefore chose persons of exemplary man-
s, and wholly presbyterian in their principles, to be about
majesty; and as chaplains formed part of the court es-
lishment of that day, the ministers who were most popu-
and possessed most influence, were naturally promoted
hat office. Their ideas of duty did not permit the omis-
n of the worship of God in the family, or public meetings
divine service, merely because their temporal superiors
little of the spirit of devotion; and, although there was
ch formality and length in the sermons and prayers upon
se occasions, yet this—as every thing else of the kind—
s greatly exaggerated by the royalists, who hated all appear-
e of seriousness, although to prevent their regular attend-
e upon the king, would, with interested politicians, have
itself been reason sufficient for keeping up a practice,
ich had all the effect, without the formality of a regular
nily guard. No doubt such a situation was extremely
some to Charles; to the careless and dissolute necessary
straint is always irksome, and to the irreligious the prac-
e of piety can never be pleasant; but it does not therefore
llow that they are wrong, or that the sterner virtues, al-
ough allied to unamiable qualities, and by their stiffness
posed to the ridicule of frivolous, flippant courtiers, are
times of imminent public danger to be softened down to
more yielding temperament which times of tranquillity
unsuspicious intercourse allow.

The ar-
rangeme
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irksome to
him.

XVI. The English had not been inattentive spectators of
negotiations with Charles, nor had the Scots with less
ety watched their motions. Both were preparing for
mities, but the Scottish parliament were the least will-
o commence hostilities; they, therefore, previously to
ing's arrival, sent three letters, to Lenthall, speaker of
use of commons, lord Fairfax, and sir Arthur Hasel-
inquire into the reason of the marching of their for-
ards the border, and demand the release of several
seized without any declaration of war, in direct breach
article in the late treaty, requiring that no interrup-
uld be given to the trade between the two kingdoms
a previous declaration of war; which extremity was
l only to take place upon the one nation's refusing

Hostile
prepara-
tions in
both king-
doms.

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redress and reparation to the other, and then three months' previous notice.

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XXVII. In the distracted state of Scotland, it was ble to calculate upon the permanent superiority of Although there were no reasons to distrust t there were many for doubting the stability of rulers; and little reliance could be placed upon vity of the troops, if the levy ordered by the completed, notwithstanding the strong assurance merely defensive. The English council of stat determined to anticipate the possibility of an marching an army into Scotland. The late engi invasion of England, they alleged, was a breach nant and solemn league, which, although disavo present, had been sanctioned by a former and fu of the estates; with whose spirit they accorded, Charles Stuart, without consulting the Englis wealth. But the danger which the new republic incurred from the vicinity of a covenanted king, istence of so many lurking loyalists among then the natural connexion between the presbyteri countries, were sufficient inducement to have b stronger political bonds than those which then kingdoms together. Cromwell was, in conseq moned from victory in Ireland, and Fairfax req sume the chief command of the army destined t monarchical division of the island.

English determine to invade Scotland.

Their reasons for it.

XXVIII. Fairfax, himself inclined to favour t dents,* was not at first averse to undertake the ma the war; but his wife was a presbyterian, and h it is said, prevailed upon him to resign the con withstanding the urgent entreaties of a deputat council of state, among whom, Cromwell most urged his acceptance. "He had no objections," "to fight if the Scots invaded the country; but clear to invade them seeing they had declar The council were not, however, willing to awa allowed to be extremely probable, the entrance

Fairfax refuses the command of the army.

* Hutchinson's Memoirs.

ith an organized army, and their king at their head, into ıe territories of the commonwealth, and Cromwell was ap- ointed to a command which he accepted with real or well fected reluctance. 1650. Cromwell accepts it.

xxix The preparations had been so rapidly executed, that ithin a month after Charles' arrival, Cromwell was on the anks of the Tweed with sixteen thousand veteran soldiers. Ie advanced without opposition, the whole country between Advances into Scotland—his proclamations. erwick and Edinburgh having been laid waste. His march as preceded by proclamations, inviting the people to re- ırn to their homes, and promising them protection so long s they remained peaceable; and addresses to the Scottish ation, imputing the origin of hostilities to those who had oclaimed Charles, and offering peace and friendship upon e sole condition of his dismissal, to the crimes of whose fa- ly he attributed all the calamities of the land. A number the wildest rumours were spread in England and the Eng- ı army, respecting the parties in Scotland and their opera- ns, which the great ignorance of every thing respecting the ter country that prevailed among their neighbours, ren- ed it easy to propagate and obtain credence for at the time, t which it is rather strange that later historians should ever ve repeated. The Scottish ministers, it was said, declar- Stories propagated to inflame the English. from their pulpits, "that if the Lord did not destroy e army of the sectaries, he should no longer be their od;" a declaration so profane and so evidently inconsistent ith their principles, that it refutes itself; then they were much engaged in searching after witches, that entire vil- ges were involved in proscription, while every other busi- ess was neglected;* and as a finale, they were represented

* Although there was undoubtedly a great deal of ridiculous exaggeration in he stories propagated at this time about the prevalence of demonology, yet here was unhappily too much ground for the accusation brought by the sec- aries against the presbyterians, on one of the few points in which they had the isfortune to agree with the episcopalians—persecution for witchcraft. The ct 1649, made consulting with witches, death. In May, the same year, the ouse granted a commission for the trial of fifty-four witches! Act Parl. Scot. l. vi. p. 447. Balfour's Ann. vol. iv. p. 22. June 21st, a warrand was ven the laird of Lammington, the provost of Haddington, the bailies, and hers, to try, and burn, if found guilty, Agnes Hunter, Margaret Dickson, d Isobel Murray, for the said crime of witchcraft. A similar commission

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describing the English as monsters, who would give no quarter to any males between sixteen and sixty, and burn the women's breasts with red-hot irons!—the inventors of the tale not recollecting that before such a story could produce any effect, it was necessary for the people to forget that the same monsters had marched through the same country so very short a time before, and that all the males between sixteen and sixty had, under the severest penalties, been ordered to join the army.*

The country desolated before him.

xxx. Cromwell, as he advanced, found that the orders of the estates had been strictly obeyed; the provisions were carried off, and only women and a few old men and children were left in the parts through which his route lay. When he fixed his head-quarters at lord Mordington's house, he found the walls bare, and one or two aged servants about the premises; the humblest utensils were removed, and the officers' mess, which consisted of some roast beef, was cooked

was given to certain honest men in Inverkeithing, to apprehend the wives of the magistrates, and other persons of the said burgh, who had been delated as witches to the presbytery, but whose husbands had refused to incarcerate them at the desire of that body. Act Parl. Scot. vol. vi. p. 492. And one of the last acts of the same parliament, was for "the torture of witches." It is an honourable trait in the character of the sectaries, that while they were in power, these infamous and absurd prosecutions were discountenanced and discontinued. Poor, aged, and helpless females, were allowed to live in quietness, and die in peace. At the restoration, the burnings recommenced, and were continued till the beginning of the eighteenth century.

* The intelligence from the army did not accord with this representation; it shows, at least, that the ladies had not heard, or did not much regard the terrible tale:—"Berwick, July 19th, the Scots are all gone with their goods towards Edinburgh, by command of the committee of the estates of Scotland, under pain of being sequestered and declared enemies if they did not remove, so that, for the most part, all the men are gone; but the wives stay behind, and some of them do, notwithstanding, bake and brew to provide bread and drink for the army." "To-morrow we march, I believe, very near Dunbarn, where we are like to lie in the fields, day after day, till the issue of this business be known, and if the ships with biscuit and cheese meet us not about Dunbarn, we shall be put to extraordinary straits, for this town affords us but little. The supplies are come from Newcastle; but the soldiers have not had any tents; so, in my judgment, wet weather and want of provisions, will make captain *Cold* and captain *Hunger* much injure the army. The Scots came to the markets at Berwick constantly till yesterday, when there came none with any provisions considerable, but only some few women with poultry: there was one bringing twenty horses laden with oats; but they were stopped" Perf. Diur. July 25th to August 1st.

on the hearth, the back of a coat of mail answering for the pping-pan, and the head piece serving the purpose of a ridge-pot.*

XXXI. A spirit of vigour and unanimity, the sure presage success, animated the councils of the new republic in the ate and in the field, to which the divided state of Scotd formed a melancholy contrast. There, the sectaries the malignants—under which description were comhended several of their most influential statesmen, and ajority of their veteran officers and soldiers—were exded from places of trust, and prevented from enlisting; ile the ministers obtained an overweening influence in appointment of both civil and military authorities, and the direction not only of the polemical but of the political rfare. Yet, under these appalling disadvantages, when e attitude of the commonwealth forced the ruling party to ter the contest, nothing which prudence or activity could vise or accomplish was omitted on the part of the estates Scotland, to meet the formidable attack.

XXXII. The committee, besides the precautionary meres of carrying off every article of subsistence on the Engh line of march, collected the military strength of the lands around the capital; and the earl of Leven havresigned on account of his age, David Leslie, the next eputation, was appointed to the command. Fully aware he superiority of the troops opposed to him in disciand experienced officers, he concentrated his force Edinburgh, and taking advantage of the facilities of round, he rendered his situation almost impregnable. r's Seat and Salisbury Craggs, natural strengths, were posts, the Calton Hill was planted with cannon, his

Leslie's position at Edinburgh

* Sir John Hodgson relates a characteristic anecdote of Cromwell and his -"Well, that night we pitched at Mordington about the house. s were looking out at a window, hearing a great shout among the ey espied a soldier with a Scots kirn on his head. Some of them broad, had found a vessel filled with Scots cream, and bringing the their tents, got some, dishfuls, and some, hatfuls, and the cream in the vessel, one would have a modest drink, and heaving up the r lifts it up, and the man was lost in it! all the cream trickles down nd his head fast in the tub: this was a merriment to the officers, ed an innocent jest." Memoirs, p. 130.

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right was protected by the castle,—then deemed a place of [illegible] of considerable strength—Leith was regularly fortified, the in[illegible]n-termediate spaces were strongly defended by intrenchments, [illegible]; and the whole vicinity of the city presented a succession of [illegible] of batteries, whence flanking and cross fires might be opene[illegible]d upon almost every point of advance. The weather was ex[illegible]. ceedingly unfavourable for the English, it rained incessantly, and they were entirely exposed, while the Scottish troops la[illegible]y comfortably under cover within their impregnable lines. A[illegible]n attack upon Arthur's Seat had been partially successfu[illegible]; but the English were unable, owing to this circumstance, to retain possession; and after having, from the neighbourhood of St. Anthony's chapel, cannonaded Leslie's left wing, who returned the fire from the Quarry-holes, on the descent of the Calton, and lying a day and a night exposed in the fields, Cromwell, perceiving that he could neither induce them to leave their vantage ground, nor force them with any prospect of success, ordered a retreat to his quarters at Musselburgh.

Cromwell retreats to Musselburgh.

XXXIII. As soon as the republicans had broken up, the Scottish forces sallied out from their strongholds in two parties, one from the Canongate and another from Leith, to attack their rear. The first, from the Canongate, succeeded in throwing the enemy into confusion, with whom they had "a gallant and hot dispute,"† and took major-general Gilbert, who was wounded, a prisoner; but the other was repulsed, the general retaken, and the enemy reached Musselburgh without further molestation.‡ A night attack

* Cromwell's despatch.

+ Cromwell's expressions in his despatch to the lord president of the council of state: he styled the skirmish next day, the battle of Gladsmuir.

‡ The following is sir James Balfour's account of that skirmish: "Monday the 29th of Julii, Cromwell with all his army, assaulted our trenches near the Quarrell Holles, bot was valliently beat offe and repulsed, with his cannon taken; and hes foot partey routed by Lawers' doublet [debaitett?] alone, mounted the hill at St. Leonard's chapell, and dung them from their canon, which they had planted in one our trenches, at the Quarrell Holles. The English flanked them, and betooke them to their heilles, wntil a brigad of horse reganed their canon; bot with great losse of men and horse men from the hedges and rocks, played wncessantly with their canonales, vol. iv. p 87, 88.

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Skirmish at Stoney-hill.

. Major-generals Montgomery and Strachan, with eight ndred picked men, well armed with cuirasses, lances, and tols, expecting to find the enemy fatigued by the two pre- ling days' duty, took a sweep of some miles round the ntry, and fell upon them at Stoney-hill,* a house on the stern side of the Esk. A regiment of cavalry was quick- put to the route, but the steadiness of the infantry, who re upon the alert, expecting some such attempt, checked e impetuosity of their assailants, and drove them back with nsiderable loss. Next day, Cromwell sent a trumpet with e wounded, in waggons, to Edinburgh, to refute the im- tation of cruelty which had been thrown out against him, d to announce to the inhabitants that he claimed the vic- ry. With the same showy generosity, he allowed the rincipal prisoners to return in his own coach to the capi- al.†

The king's arrival in the camp

xxxiv. Charles, who had arrived some days before in the Scottish camp, and been received by the soldiers with the greatest demonstrations of joy, had the mortification to wit- ness this unfortunate commencement of hostilities. He is said to have marked his opinion of the fugitives by the ap- propriate appellation he gave them of "his green horns." His presence had attracted a number of engagers to the ar- my, into which, notwithstanding all the care that had been used, many, both of them and of the cavaliers appear to have entered; and they assumed already a degree of insolence and forward loyalty which occasioned considerable uneasiness to the covenanters. Instead of the country or the covenant being the rallying word, they substituted "the king" alone. They were distinguished by their loose conduct and profane conversation, while their arrogant boasting gave them the show of being more numerous than they really were, and caused their importance to be over-rated. As enemies, they were only formidable while they wore the garb of friends.‡

* Guided by a gentleman of the name of Hamilton, the proprietor, and his servant, who were both killed on the occasion.

† Relation of the fight near Leith, p. 214. Hodgson's Memoirs, p. 136. Whitelock's Memorials, p. 452.

‡ Walker says, they chalked the letter R. [Rex] below the crown, and other- wise showed their affection to the king. Journal, p. 164.—In the night attack,

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1650. Occasions divisions in the army.

Unhappily the ruling party in the Scottish camp was itse divided. That section of them who from the beginning ha opposed the recall of the king, and were desirous of mai taining peace with England, as the only probable way of re taining their freedom, were more confirmed in their view by Charles' visit, of the utter hopelessness of any proje which rested in the smallest degree on the king's personal character; and the section at whose head was Argyle, being the minority, who entertained a more favourable opinion o their young king, was forced into measures of which they did not altogether approve, but which they could not condemn, except by alleging that they were too rigid, severe and uncharitable.

xxxv. The day after his arrival in the army, a proclamation was circulated in the king's name, announcing that the Lord had been pleased, in his gracious goodness and tender mercy, to discover to him the great evil of his ways, and blessed the endeavours of the kirk and kingdom, so far as that he had sworn the covenants, and given satisfaction to their desires—that he was also willing to accede to any measures which might be thought proper by the parliament of England, sitting in freedom, for settling the kingdom and securing freedom; that although an army, under lieutenant-general Cromwell, sent by the sectaries of England—after murdering the king, using force to the two houses, and oppressing the people—had now invaded Scotland, contrary to the solemn league and covenant, and the treaty between the kingdoms; yet being persuaded that many of the officers and soldiers had been misled by the craft and cunnin of others, he offered a free pardon and indemnity to all them who should immediately leave that army, and co over to the Scottish, where they should be courteously u and entertained; excepting those only who had sat in High Court of Justice, or voted for his father's death. proclamation, the only one which could with propriety been issued, and expressed in as moderate terms as th

Charles refuses to sanction the proclamation addressed to the invading army.

one of the soldiers, when mortally wounded, exclaimed, "Damme, my king;" and in the conversation with some of the prisoners at Le of the Scottish commanders, it is said, "old cavaliere-like, did sw desperately." Relation of the fight at Leith, p. 221.

sion would admit, his majesty, influenced by his private visers, refused to sanction.

XXXVI. Meantime, the commission of the kirk were assi- ous in their vocation: by exhortations and addresses, they eavoured to prevent the engagers from regaining their luence, either about the person of the king, or what was ly more to be dreaded, obtaining influence in the army. hile the king wavered, or appeared to hesitate, the pre- t party stood on very slippery ground; and the enthu- sm and relaxation which the army exhibited during his porary visit, showed them by how slender a tenure they ld their power, and how little chance there was of their ing able to maintain it, were they to consent in the small- t degree to admit the others to a share. Charles, there- re, upon his refusal, was quickly hurried from the camp to unfermline, to prevent, it was said, any danger to the dis- ipline of the army, which was at the same time purged of nalignants.*

He is carried to Dunfermline.

XXXVII. Shortly after, he was waited upon by the coun- il, with a declaration which had been drawn up on purpose to satisfy and set at rest the mind of the people upon this essential subject; and to convince them that the king was wholly theirs, that he approved of all the steps they had aken, and was willing to be entirely governed by them. The situation of affairs was imperative, and admitted of no alf measures: the declaration, therefore, was framed rather ith regard to the exigence of the time than the feelings of he king. The English general everywhere published that

* Sir Edward Walker says, "at this time the army lost four thousand of e best men, and displaced all the officers suspected; concluding they had an my of saints, and that they could not be beaten," Journal, p. 165. Laing rects this from Balfour's State Mem. vol. iv. p. 85, and shows that only ifty officers were dismissed. Mr. Brodie thinks, from a passage in Baillie, t sir Edward's statement was accurate. I am inclined to think Mr. Laing's rection just. The engagers who assembled in the north, to whom Baillie ers, did not assemble till *after* the battle of Dunbar, and had been excluded, never being allowed to enter into the army of the covenanters; and sir es Balfour, who was upon the spot, is the better authority for the exclu- after the king left the army, which does not appear to have consisted of r than the officers. The act of the committee of estates, issued at Stir- 23d October, referred to by Mr. B., respected the putting down Middle- and those who rose after the start. Hist. Brit. Emp. vol. iv. p. 280, note.

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the church and state, by recalling the son, had *de facto* proved of the proceedings of the father, that they had traced the steps of reformation, and were guilty of condemning all that so much blood had been spent to establish; that the present king, notwithstanding his having taken the covenant—which he had only done hypocritically—was not to be trusted; that the Scottish rulers knew this, and that in setting him up, they were only setting up themselves.* These representations it was necessary to counteract, and the young sovereign was made to declare, "His sense of the merciful dispensation of divine providence, by which he had been recovered out of the snare of evil counsel, and his full persuasion and confidence of the loyalty of his people of Scotland—with whom he had too long stood at a distance—of the righteousness of their cause, and his determination to join in one covenant with them, and to cast himself and his interest wholly upon God; following the advice of his parliament in matters civil, and the general assembly or their commissioners in matters ecclesiastical. He lamented his father's opposition to the work of God, and the bloodshed which had followed; the idolatry of his mother, and the sin which had been incurred by its toleration in the king's house; and his own former misconduct, which, although it might be extenuated by the evil advice he had listened to, and the treatment his family had received at the hand of the sectaries, yet he only hoped would be forgiven by God through the blood of Jesus Christ. He was also made to say that he entered into the covenant oath without any sinister intention, or crooked design, for attaining his own ends; but so far as human weakness would permit, in the truth and sincerity of his heart, and that he was firmly resolved, in the Lord's strength, to adhere to, and prosecute the same to the utmost of his power, in his station and calling, really, constantly, and sincerely, all the days of his life. In the other parts of this famous paper, he was made to express his sorrow for the league with the rebel Irish, to declare it null and void, with his resolution for the time to come to refrain from seeking any such unlawful help to restore him to the throne. He deprecated harming any of his subjects in

The Dunfermline declaration.

* Perf. Diurn. Aug.

gland by the commissions he has issued—they being only nded against the usurpers of his authority—and express- is anxiety to give satisfaction to the just and necessary res of his good subjects of England and Ireland; and that ie houses of parliament of England, sitting in freedom, uld think fit to present unto him the propositions of ce, agreed upon by both kingdoms, he would not only sent to them, with such additions as the parliament should ik necessary, but do whatever was further requisite for secuting the ends of the solemn league and covenant, es- ially in those things which concerned the reformation of church. And in conclusion, he was made to express his pes, "that whatever had formerly been his guiltiness be- e God, and the bad success that those had had who owned affairs whilst he stood in opposition to the work of God, t the state of the question being now altered, and he hav- g obtained mercy to be upon God's side, and to prefer od's interest before his own, that the Lord would be gra- ous, and countenance his own cause, in the hands of weak d sinful instruments, against all enemies whatsoever."

XXXVIII. At first, when this declaration was brought to harles, he received the messengers graciously; but being out to set out upon a hunting expedition, he deferred giv- g any answer till he should return. In the evening—hav- g consulted with his favourites during the chase—he declin- l sanctioning by his name whatever might tend to reflect pon the memory of his father. The commission, which et in the West Kirk, so soon as they received the king's an- er, passed an act of the following purport:—"Consider- g that there may be just ground of stumbling, from the ng's majesty refusing to subscribe and emit the declaration fered to him, concerning his former carriage, and resolu- ns for the future, in reference to the cause of God, and e enemies and friends thereof; doth therefore declare, that s kirk and kingdom doth not own or espouse any malig- nt party, or quarrel, or interest; but that they fight mere- upon their former grounds and principles, and in the de- e of the cause of God and of the kingdom, as they have e these twelve years past; and, therefore, as they dis- m all the sin and guilt of the king and of his house, so

He refuses to sanction it.

Act of the commission —West Kirk.

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they will not own him nor his interest, otherwise t
a subordination to God, and so far as he owns a
cutes the cause of God; and disclaims his and hi
opposition to the work of God, and to the cove
likewise all the enemies thereof; and that they
convenient speed, take into consideration the pap
sent unto them by Oliver Cromwell, and vindic
selves from all the falsehoods contained therein;
in these things wherein the quarrels betwixt them
party is misstated, as if they owned the late king's
ings, and were resolved to prosecute and maintain h
majesty's interest, before and without acknowled
the sin of his house and former ways, and satis
God's people in both kingdoms."*

Approved by the estates.

xxxix. The committee of estates approved of the king, when he found it was useless to contend, of the more offensive phrases softened, and witho dispute signed the manifesto, well known as "the line Declaration." Some of the most heated of th

Charles signs the declaration.

to Charles transmitted the West Kirk act to Crom he, who saw in their dissensions the seeds of his cess, would enter into no correspondence with a parties who acknowledged the king, under whatev tions. Charles' compliance established an appare mity, and the ruling party had every reason to b with the appearance of the campaign.† The min ditated also a further triumph; they had proposed young monarch had consented, to make a publi ledgment and profession of his repentance; but b object was carried into effect, the campaign took a expected turn, and Charles was relieved from that

* Balfour's Ann. vol. iv. p. 90, et seq.

† That this unanimity was only in appearance, and that the S even then divided in their sentiments, we learn from a despatch o to the council of state, after the battle of Dunbar:—"I think fit," acquaint your lordships with two or three observations: some of t in the army among the Scots did professe before the fight, that beleeve their king in his declaration: and it is most evident h with as muche reluctancy, and so muche against his heart as could they venture their lives for him upon this account, and publish this to be believed as the act of a person converted, when in their hear he abhorred the doing of it, and meant it not." Sept. [6,] 1650.

:L. Cromwell had hitherto been able to make no impres- 1 upon Leslie's lines, and had been frustrated in all his :mpts to draw him from them. Finding his army begin grow sickly from the state of the weather, and his pro- ons falling short, he attempted, by marching westward, manœuvring between him and Stirling, to intercept his plies, force him to leave his vantage ground, and come in engagement; but Leslie, from his superior knowledge he country, marching in the same direction, kept open communication, while he retained all his superiority: and r a partial cannonading in the neighbourhood of Colling- , Cromwell was forced by scarcity of provisions, to retrace steps to the sea coast.* As the season, however, was far anced, and there appeared no possibility of forcing Les- 's position, nor any prospect of inducing him to leave it long as they remained there; the English general having led a council of war, resolved to break up and march to- rds Dunbar, which he determined to fortify, in the ex- ctation that if any thing, this, would provoke the Scots to gage; or if not, that having a garrison there, they would able to accommodate their sick men, and establish a good agazine—which they exceedingly wanted,—and which uld place the army at ease with regard to provisions, nor lige them to depend upon the uncertainty of weather. tween Berwick and Leith there not being one good har- ur, they had frequently been reduced to great straits by e impossibility of landing their stores; and during the sterous season of winter, if they remained in Scotland, e difficulties would increase; but Dunbar afforded an easy mmunication by sea with England, and could at all times ure them a ready supply.† In the English camp, it was e current opinion, that their army would winter in the ighbourhood; the Scots entertained a very different opi- on; they knew the sickly, exhausted, and ill supplied state the enemy, which the reports of the day, and their own shes, magnified into a state of absolute debility and star- tion; they anticipated an easy victory over the dispirit-

Distressed state of the English army.

* Relation of the Campaign in Scotland, 1650. † Cromwell's despatch.

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ed fugitives, and their only anxiety was, to prevent the escape.

1650. Cromwell retreats.

XLI. Having shipped about five hundred sick and wou ed soldiers at Musselburgh, on Saturday, the 31st Aug at night, Cromwell marched thence to Haddington, wh he had just reached, and distributed his men, the van-b gade of horse, with the foot artillery, into quarters, wh the Scots who had closely pursued, fell with impetuosity the rear-guard of horse, threw them into confusion, an but for a sudden darkness, occasioned by a thick cloud ov shadowing the moon, they would in all probability have be surrounded and taken; the stormy eclipse, however, enabl them to rejoin the main body in safety. During the nigh the Scots made an attempt upon the west end of Haddin ton, but the enemy were prepared; and being repulse they withdrew to the heights, where Cromwell did not choo to pursue, nor think it advisable to attack them. Next d he drew out his men in order of battle, a challenge whic Leslie was too prudent to accept in the plain, and after fou or five hours waiting, he proceeded on his march to Dun bar; the Scottish army, who still kept the high ground t the south, moving forward at the same time. The pass a Cocksburn-path, the only road to Berwick, a communica tion which the English required to keep open, and where few were capable of effectually resisting a considerable force, was taken possession of by a small party of the Scots, while Leslie with the main army hovered around the march of the English. Cromwell, who knew the importance of the pass, perceived himself now in a perilous position, out-generaled by Leslie, and in a situation somewhat similar to that which the parliament's army was in when it made its hard condi tions with the king in Cornwall.*

Skirmish at Had dington.

Leslie oc cupies Cocks burn-path pass.

* His expressions are, " The enemy that night, we perceived, gathered to wards the hills, labouring to make a perfect interposition between us and Be wiche, and having in this posture a great advantage, through his better know ledge of the country, which he effected, by sending a considerable party to d straight passe at Copperspath, where ten men to hinder are better than fo to make their way, and truly this was an exigent to us. The enemy lying the posture before mentioned, having these advantages, we lay very near hi

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XLII. But the operations of Leslie were controlled by the committee of church and state, who followed the camp. Encouraged by the arrival of several new regiments, they forced him, in opposition to his judgment and inclination, to leave the commanding station he occupied, to block up more effectually the march of the English, and cut off their retreat, by placing himself in their front, upon a narrow passage between the mountains and the sea, at the bottom of the hill on which he had encamped.* On the night of Monday, preparations for the fatal movement were made. Cromwell, who had been anxiously attending the motions of his opponent, coming with major-general Lambert to Broxmouth, the earl of Roxburgh's house, could not rightly understand his intentions, whether he meant to "attempt any thing upon them," or to place his army in a more exact position of interposition; but he immediately observed to Lambert, "that he thought it did give an opportunity and advantage to attempt upon the enemy;" to which Lambert replied, "he had intended to have made the same remark." On calling colonel Monke, that officer coincided in opinion; and a number of other colonels being

His operations overruled.

Alters his position.

being sensible of our disadvantages, 'having some weakness in the flesh,' yet consolation and support from the Lord himself, that he would find out a way of deliverance and salvation for us."

* Mr. Brodie in his narrative of the Battle of Dunbar, says, "As the accounts transmitted to us of Leslie's motives, are not to be relied upon, it is impossible to ascertain exactly by what he was really influenced," Hist. vol. iv. p. 290. I am led to differ from him in this, by the following passage in Baillie: "The most part of the committee of estates, and commission of the kirk, would have been content to let him go; but finding no man tolerably able to supply his place, and the greatest part of the remaining officers of horse and foot, peremptory to lay down, if he continued not; and after all trials, finding no maleadministration in him to count of, but the removal of the army from the hill the night before the rout, which yet was in consequence of the committee's orders, contrary to his mind, to stop the enemy's retreat, and for that end, to storm Broxmouth house as soon as possible." Vol. ii. p. 350. Cromwell mentions also, in his despatch of Sep. 11th, "I heare, when the enemy marched last up to us, the ministers pressed their army to interpose between us and home: the chief officers desiring rather, that we might have way made, though it were by a golden bridge." It appears, I think, pretty plain, that Leslie's plan was, to harass the enemy's retreat, but not to hinder it. At any rate, the movement which lost the day was certainly against his judgment, and under the immediate influence of the committee. Burnet says, "Warriston was too hot, and Leslie too cold, and yielded too easily to their humours."

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1650. Attacked by Cromwell.

summoned to head-quarters, they all concurred in the general's ideas, and concerted the order of battle for next morning. Six regiments of horse, and three and a half of foot were appointed to form the van, and the attack to commence at daybreak. During the night Leslie had drawn up in a pass, but owing to some delay, the assault was not made till six o'clock. The Scottish word was, "the Covenant:" the republicans, "the Lord of Hosts." Fleetwood and Whalley led to the charge, which was gallantly made, and bravely resisted.

Battle of Dunbar

XLIII. For some time, till the English foot arrived, the dispute was at swords' point, between the cavalry, with little advantage on either side; and the first foot that engaged was repulsed, till Cromwell's own regiment came to their support, and carried the contested ground at push of pike. The horse had, in the meanwhile, also succeeded in breaking their opponents, charging through and through them. Hitherto, the morning had been thick and foggy, but at this time, the sun began to appear, and Oliver exclaimed, "Let God arise, and let his enemies be scattered;" shortly after, turning to some about him, with astonishment he added, "I protest they run." When once broken, it became impossible for the Scots to rally; the very advantages of the ground turned against them; and, to use the language of Cromwell, after the first repulse given, "They were made by the Lord of Hosts, as stubble to their enemies' swords." The rout was complete; upwards of three thousand fell on the field, among whom were several ministers, who being considered by the sectaries as the chief instigators of the mischief, found no mercy from the soldiers. Ten thousand were taken prisoners; two hundred colours, fifteen thousand stand of arms, the whole baggage and artillery, fell into the hands of the victors. Five thousand of the sick or wounded prisoners were dismissed from the field, the remainder were driven into England; and those who survived a violent disorder, occasioned by fatigue, exposure, and unwholesome food, were sold as slaves to the plantations.* The greater part of the

The covenanters completely defeated.

* Cromwell's despatches.—Letters from the army in Scotland, published by authority.

ralry being only dispersed, escaped, and were afterwards llected; and although several of the leading men were led, or prisoners, the majority of these also preserved their es by the fleetness of their coursers.* The casualties on e part of the conquerors were said to have been very small proportion; but if the battle was as stoutly contested at e onset, as Cromwell represents in his despatches, it is difult to believe that the victory was gained with scarcely e loss of twenty men.

XLIV. Perhaps it would be difficult to say, whether the ng or Cromwell were better pleased with the event of the gagement; Clarendon represents Charles as glad at the aster, and accounting it the greatest happiness that could ve befallen him, to have got rid of so strong a body of his emies.—But at the time when the young king was exessing in secret, among his confidential companions, his light at the defeat, he transmitted to the committee of tates a condoling epistle, which may vie with any of the oductions of the leading characters of the day, for the piety its sentiments, and the scriptural strain of its expresons; yet, while their productions have been held up to riicule, this letter has escaped censure, as if the unblushing rofligacy of Charles' latter years had atoned for the unprinipled hypocrisy of those that went before. "There is nohing," says he, "under the sun that is not subject to sudden and strange alterations,—God Almighty is only unhangeable, and therefore it is, that we are not consumed, —and, of all the affairs in the world, nothing is subject to o many accidents as an army in matters of war. To-day, othing so glorious and terrible as an army with banners; o-morrow, or in an hour's space, nothing so confused and o weak, when then the terror of God falls upon them, and ey turn their backs, and that the men of might find not eir hands; then that, that was before goodly and dreadl, is in an instant despicable and contemptible. We can-t but acknowledge that the stroke and trial is very hard be borne, and would be impossible for us and you in hun strength; but in the Lord's we are bold and confident,

The king's hypocrisy.

His condoling letter to the estates.

* Balfour's Ann. vol. iv. p. 97.

BOOK XIV. 1650.

who hath always defended this ancient kingdom, i
mitted the government of it upon us, from so ma
predecessors, who, in the like difficulties, have no
and they had only the honour and civil liberties o
to defend, but we have, with you, religion, the g
the covenant, against which hell shall not prevail,
a number of sectaries stirred up by it. We acl
that what hath befallen is just from God; for our
those of our house, and of the whole land, and all
lies in it, have likewise helped to pull down the
and to kindle the fierce wrath. We shall strive t
bled, that the Lord may be appeased, and that h
turn to the thousands of his people, and comfort i
ing to the days that we have been afflicted, and
that we have seen evil."* Cromwell mourned
miseries of Scotland, and protested, "That ever
came into the country, it had been his desire and
to have avoided blood, by reason that God hac
in it fearing his name, though deceived; and to
had offered much love unto such, in the bowels
and concerning the truth of his heart in that matt
appealed unto the Lord." The ministers, whos
power was now at its summit, were the particular
both their displeasure, and both were equally an
they should be humbled; only Cromwell merel
that they should be confined to their spiritual
Charles, in the true spirit of his maternal religi
cheerfully have consented to their extirpation.
of the victory at Dunbar was the immediate pos
Leith, and of Edinburgh, with the exception of t
within which the ministers sought refuge; nor coul
mises of freedom and protection in the exercise of t
tions, which the victor offered, induce them to
their duty in the city; they engaged in a controversy
ing the rights and qualifications of regular pastors
lation of the covenants, and the abuse of unlicens
duals usurping the work of the ministry, while sect
lay preachers were filling their pulpits, and holding

Cromwell's declaration.

He takes Edinburgh and Leith.

* Thurlow, vol. i. p. 163.

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large and strongly affected auditories.* David Leslie and the shreds of the army retired upon Stirling, whither the committee of estates and the commission of the church were assembled; and, amid the defeat and disaster by which they were surrounded, these public authorities presented an unyielding front to the enemy.

Leslie retreats to Stirling.

XLV. While the king with his courtiers, at Perth, were ridiculing the rigid presbyterians as the authors of all the evils the country was enduring, and spreading a number of malicious reports to distract their measures, and create dissension, in order that they might profit by the general confusion—in the spirit of pious, but courageous resignation, a short declaration and warning to all the congregations of the kirk of Scotland, was issued by the commission: "Although," said they, "the Lord, whose judgments are unsearchable, and whose ways are past finding out, hath brought the land very low, under the hand of a prevailing enemy, yet must we not forbear to declare the mind of God, nor others refuse to hearken thereto. It were superfluous to give answer to the many calumnies and reproaches that are blazoned abroad: for although in every thing we cannot justify the conduct of the army, yet we hold it our duty to desire every one not to believe groundless reports, but rather to eye the Lord, and look upon the hand that smites them." After admonishing all classes to be humbled for their iniquities before the Lord, that he might turn away his wrath from them, they strenuously exhort them to be no less careful in opposing the enemy than they had been in opposing malignants; nor to think now that all danger from malignants is gone; but to take heed that, under a pretence of doing for the king and kingdom, they get not power and strength, into their hands, for advancing their old designs; and conclude, by warning all the inhabitants of the land to beware of murmuring and complaining against God's dispensations, and questioning the truth and goodness of their cause on account of any thing that had befallen them:—"Let us bear the indignation of the Lord patiently, because we have sinned against him, until he plead our cause, and execute judgment for us." The committee of

Declaration and warning of the church

* Mercarius Politicus Octr.

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1650.

Estates purge the court of malignants.

estates followed up the warning of the commission, by proceeding to purge the king's family of all profane, scandalous, malignant, and disaffected persons. They immediately issued an order for enforcing the act of parliament, requiring a number of the most obnoxious of the king's attendants to leave the court within twenty-four hours, and the kingdom in twenty days. The king was extremely anxious that proceedings should be delayed against some whom he proposed to name till the parliament met; but the orders were peremptory, and lyon-king-at-arms was ordered to give the requisite intimation.

Effects of this rigorous measure.

XLVI. This decisive conduct brought the contest between the courtiers and the ruling party, or strict presbyterians, at once to an issue. The former had hoped, in the extremity to which government was reduced, that they would, upon the meeting of parliament, be obliged to relax, and, for the sake of national defence, be constrained to admit into the army and places of trust, those who were excluded by the act of classes; but the unmoved resolution with which they met their difficulties, and the expressed determination to make every sacrifice except the sacrifice of principle, soon convinced them that these expectations were likely to be disappointed; and they, in conjunction with the king, planned a more desperate remedy. An extensive conspiracy was projected in the north. On a day on which the king was to escape, a thousand highlanders were to be ready to rush down from Athole, and seize the committee of estates at Perth; lord Dudhope, the constable of Dundee, was to secure the town; lord Ogilvy was to take arms in Angus; while Middleton and Huntly were to raise the north. But the order for removing his servants, which admitted not of delay, disconcerted their plans. The king, terrified by the artful insinuations, or real apprehensions of his courtiers, believing that this was only preparatory to his being delivered up to the English, the next day, under pretence of hawking, left Perth, attended only by some private domestics; and as soon as he had passed the south Inch, clapping spurs to his horse, he proceeded at full speed to Dudhope, by Dundee, whence he was conveyed by the earl of Buchan and viscount Dudhope to the earl of Airlie's;

The Stait

istead of being met by the array of Angus, a wretched l of some sixty or seventy highlanders escorted him to serable cottage belonging to the laird of Cliva, where, filthy room, after the fatigue of a ride of forty-two miles, irew himself down despondingly upon an old bolster, a mat of sedges and rushes, to ruminate upon the pro- consequences of his ill advised START.* In this mi- le plight he was found by Montgomerie, with a party ifter him by the committee, who conducted him to more ile apartments in Huntly castle, and next day [Sabbath] ht him respectfully to Perth, where he heard "ane rtable sermon in his ouen chamber of presence, the oon's sermon in the toune being endit before he en- ".†

The king brought back to Perth.

II. Hitherto the rigid presbyterians had maintained superiority, and resisted all attempts at a coalition with her party. In spite of the injurious surmises against l Leslie, they had acquitted him, approved his conduct, otwithstanding his own opposition, reinstated him in the and of the army; and he justified their confidence by the l arrangements he had made for defence. Cromwell, llowed no opportunity of advantage to escape, had ied to Stirling, expecting in the season of universal con- tion to obtain possession of that fortress, the key of the ; but he perceived the intrenchments so complete, that, pending a night at St. Ninians, he returned to Lin- w, and found an excuse in the weather for giving up tempt. Well acquainted, however, with all the trans- s which were taking place, the English general no r heard of the escape of Charles, than he renewed his of negotiating, and despatched a letter from Linlith- October 9th,] to the committee of estates, couched in ost conciliatory terms:—"The grounds and ends of my's entering Scotland," he tells them, "have been fore often and clearly made known unto you, and how we have desired the same might be accomplished with- ood; but according to what returns we have received,

Cromwell makes overtures of peace.

e name by which this incident is usually known in Scottish history
lfour's Ann. vol. iv. p. 199, et seq. Walker, p. 196, et seq.

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it is evident your hearts had not that love to us as we can truly say we had towards you; and we are persuaded those difficulties in which you have involved yourselves, by espousing your king's interest, and taking into your bosom that person in whom—notwithstanding what hath or may be said to the contrary—that which is really malignancy, and all malignants do centre; against whose family the Lord hath so eminently witnessed for blood-guiltinesse, not to be done away with by such hypocritical and formal shows of repentance as are expressed in his late declaration: and you strange prejudices against us, as men of heretical opinion which, through the great goodness of God to us have be unjustly charged upon us, have occasioned your rejecti these overtures, which, with a Christian affection, were fered to you before any blood was spilt, or your people ha suffered damage by us. The daily sense we have of the c lamity of war lying upon the poor people of this nation, a the sad consequences of blood and famine likely to com upon them; the advantage given to the malignant, profan and popish party by this war, and that reality of affectio which we have so often professed to you, and concerning th truth of which we have so solemnly appealed, doth agai constrain us to send to you, to let you know, that if the co tending for that person be not by you preferred to the pe and welfare of your country, the blood of your people, love of men of the same faith with you, and above all honour of that God we serve;—then give the state o land that satisfaction and security for their peaceab quiet living by you, that may in justice be demanded nation giving so just ground to ask the same from th have, as you, taken their enemy into their bosom was in hostility against them; and it will be made you, that you may have a lasting and durable them, and the wish of a blessing upon you in and civil things. If this be refused by you, we ed that God, who hath once borne his testimon again on the behalf of us his poor servants, w to him whether their desires flow from sincer not." To this the commission of the kirk wr

...but afterward, with the country, ha

ars of blood, that, like the other offers of Cromwell, it was jected, as inconsistent with the obligations of the nation to ieir covenanted king.*

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They are rejected.

XLVIII. The START, although not attended with the circumances on which the king had calculated, was productive of ie most mischievous consequences to the presbyterians. The iore complying, not knowing the extent of the king's conexion with the conspiracy, or affecting not to believe it, oined the ultra-royalists in attributing his flight to the riour with which he had been treated; and uniting with heir most deadly enemies, prepared the way for their own ventual ruin, by consenting to admit the king to the exerise of regal authority, detected as he was, and exasperated oy a sense of the injuries he had been disappointed in inflicting. He was within three days invited to preside in the council, and the effects of the concession were immediate. The chancellor, in his name, made a long apology for his conduct, which he attributed to the "wicked counsell of evil men, quho," Balfour very simply records, "had deludit him, and deceaued both him and themselves;" and his majesty personally assured them, "that as he was a christian! when he went first out, he had no mind to depairt; and he trusted in God this unhappy business would be a lesson to him all the days of his life." His royal apology was received without hesitation; and the provincial synod of Fife, who brought forward a remonstrance expressive of their regret at the hurried manner in which the king had been

The king's apology for the Start.

* That the English at this time, and Cromwell himself, were sincere in their desires of conciliating the Scots, without conquering the country, cannot, I think, be doubted; and had not a rigid devotion to the letter, rather than the spirit of the covenant, a proud and blind attachment to their native race of monarchs, and the selfish ambition of a few of the aristocracy prevented; Scotland, by a federal alliance with England at this time, might have escaped subjugation, and stopped the effusion of much blood. Lord St. John, in a letter of congratulation on the victory at Dunbar, speaks what seems to have been the general feeling of the ruling party in the commonwealth towards the Scots. "We ought to seek God for them, that they may see the rod, and who hath sent it, and for what. We must not insult over them, but still endeavour to heap coals of fire upon their heads, and so carry it with as much moderation and mercy towards them, as may consist with safety, although I know, that the wisdom of the serpent is needful, when we deal with them who have more of the serpent than of the dove." Original Letters, addressed to Oliver Cromwell, published from the collection of Milton, p. 26.

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brought back, and hinted their doubts of his majesty's sincerity or repentance, were coldly thanked by the lord chancellor for their care, and in some particulars desired to inform themselves better; and the council proceeded to consider of a conference with the kirk, to consult of the most fitting means for promoting union within the kingdom among such as love the cause. An act of indemnity, passed for such of the Athole-men as had taken up arms when the king left Perth, and an offer of similar favour was made by proclamation to those in the north, who still remained embodied under Middleton.

XLIX. As some of the heritors in Fife had shown a disposition to take part in the insurrection, Charles addressed them a letter on his return to Perth, exhorting them also to return to their obedience; in which it is impossible whether to admire most his hypocritical meanness, or the silliness of the ruling party, who allowed themselves to make use of any professions such a man could make; or trusted to retain their power under the shadow of a name prostituted at the same time, to encourage and to condemn intestine warfare among his own adherents:—"Lest any," said he in this notable epistle, "should be deceived concerning our late leaving this place, and thereupon may have taken, or may take occasion not to do their duties, according to the orders of the committee, we declare unto you that we are grieved that we should have listened to the suggestions of some wicked persons that were about us, and that we gave any credit or belief to the calumnies they forged for their own sinistrous ends. We have seen the evil of the way they were leading us into, and now discern the folly and madness of it, and are more assured and confirmed of the fidelity and integrity of them, that these malicious men would have given us ill impressions of, and are resolved absolutely to adhere and rely upon their counsels, for we see they tend to the public good and our service, and the other seek but us for their own ends."

His letter to the heritors of Fife.

L. With this traffic in deceit, by which neither were deceived, which was going on between the existing administration—at the head of which was Argyle—and Charles, the presbyterians in the south and west, with a sincerity which

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redounds greatly to their honour, refused to have any concern. Immediately after the rout at Dunbar, the gentlemen of Ayr, Clydesdale, Renfrew and Galloway, associated together for the defence of the country, and proposed levying a powerful body of horse; and as colonels Strachan and Kerr had distinguished themselves in the north, they were invited to assume the command. The ministers zealously seconded from their pulpits the views of the heritors, and about three or four thousand horse were raised in a very short time. But Strachan had been reclaimed from the dissolute habits of youth among the sectaries, had served in the parliamentary army in England, and with much difficulty had been persuaded to accede to presbyterianism and the covenant. His affections were still strongly biassed in favour of his old friends, and his principles inclined towards a commonwealth; but gratitude and patriotism bound him to the service of the kirk and kingdom of Scotland.* He had, however, joined with the more rigid or conscientious divisions of the presbyterians, who were averse to the recall of Charles until they perceived some decisive marks of common honesty about him, and some probability of either maintaining their peace with England, or being effectually able to resist them upon grounds entirely national, and substantially just. When he went to the west country, the ministers there—directed chiefly by Mr. Patrick Gillespie—afraid of the sectaries, were yet more afraid of the malignants; and were rather inclined to sacrifice the interests of a king in whom they had no confidence, than the interests of their church, and of their native land; they would, therefore, have consented to pledge themselves, not to prosecute Charles' claims upon the English crown, if the English commonwealth would have consented not to interfere in their domestic arrangements. In their meetings and consultations they spoke freely and without reserve their sentiments respecting the king, and the careless, impolitic, and nasty manner in which he had been brought home; and

Armament in the west —Strachan and Kerr invited to the command.

* Balfour, vol. iv. p. 139, et seq. The church's extraordinary favour got a to be helped with one hundred thousand merks, out of their purses, for mounting him a regiment, the greatest offering which ever our churchmen ade at one time. Baillie, vol. ii. p. 352.

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openly reprobated the temporizing politics of their more moderate brethren, which, by keeping alive the expectations of the ultra-royalists, kept alive the distractions of the country. They thought the infamous and unworthy duplicity of Charles, in authorizing the invasion of Montrose, had been too easily passed over; but when his majesty "*took the start*," they perceived the full extent of the project, and the utter hopelessness of ever attaching him to their interest; and, rejecting with scorn his forced and hypocritical repentance, they were for proceeding fairly and honestly to disavow his cause.

LI. Cromwell had sent a copy of his letter to the estates to the gathering army in the west, and to enforce his arguments, marched thither himself with the greater part of his force. As he went, he remarked the desolate and wasted appearance of the country, and endeavoured to conciliate the affections of the people, not only by abstaining from any injury, but by supplying some of their more urgent wants from his own stores, and even by promoting subscriptions among his officers for their relief. At Glasgow, he respectfully attended the ministrations of the presbyterians, and sat with the greatest patience, while Zachary Boyd inveighed with intrepid violence against the sins of the day;—sectarianism and a slighted covenant. Next morning, he invited the preacher to a disputation, and accompanied by some of his officers, debated the contested points with several assembled divines; nor did his own party think that he was less successful in polemical, than he had been in military warfare.

Cromwell arrives at Glasgow,

debates with the ministers.

LII. The western force, at his approach, under pretence of opposing the advance of English re-inforcements from Carlisle, retired with their levies to Dumfries, where the associated leaders and ministers drew the first sketch of their remonstrance, which, upon their return to Glasgow, after Cromwell had left it, they forwarded to the committee of estates, enlarged and altered in consequence of the ascendency of the moderate party, the tenderness shown the malignants, and the proposals for crowning the king, and admitting him to the full exercise of royal authority. This paper, which effectually divided the presbyterians, was remarkable for its plainness and good sense; and traced distinctly the cause

The forces retire.

1650. Western remonstrance.

which had prematurely involved the country in a ruinous war with England; and pointed out the only means which remained, in the then state of the country, for preventing its final ruin, or complete subjugation to the English. The remonstrants, "acknowledged it to be their duty to use all lawful means for reclaiming the king, and owning his interest so far as he owned and prosecuted the cause; but they confessed it as their sin, and the sin of the kingdom—that when he had followed his father's footsteps, in opposition to the work of reformation, and had gone the length of confirming a peace with the Irish rebels, for pardon of the blood of so many thousands of the protestants shed by them, and allowing them the exercise of the popish religion, and when he had given commission to the apostate rebel, James Graham, to invade this kingdom :—that after all this, commissioners should have been warranted to assure him of his present admission to the exercise of royal power, upon his profession to join in the cause and covenant, not only without any evidence of his repentance, or of the reality of his profession, and forsaking his former ways, but when there was pregnant presumption, if not clear evidence of the contrary." "There was too great haste and precipitation," also, they added, "in bringing forward a second address to the king, after the first had been rejected, and when they had information that he had given a commission to invade the kingdom; and unaccountable folly in continuing it, after his duplicity was fairly discovered, in the actual invasion, under his warrant, during the treaty; but above all, in concluding it, after the parliament was in possession of his letters, discovering his firm adherence to his former principles, and his resolution to make use of the forces levied by James Graham. Yet, notwithstanding this agreement, for which they, and many in the land had mourned, they had waited to discover whether the king had at last really joined interest with the people; but now they had clear evidence that the estates had been deceived and ensnared by his dissembling; by his cleaving to the malignants within the kingdom, and his corresponding with those without, such as Ormond and Newcastle; his pursuing the same designs since the treaty as before, and his privately conveying himself away with the malignants, who had,

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ever since his coming to the country waited for that opportunity, and with whom he had held a correspondence with the design of their rising again in arms. They, therefore, disclaimed all the guilt of the king and of his house, both old and late, and declared they could not own him or his interest in the state of the quarrel betwixt them and the enemy. But for remedying what was past, and to prevent similar mischief in future, they recommended to the estates to reflect, whether the king's refusing to forsake associating with malignants, notwithstanding the resolutions both of kirk and state to the contrary, his not having performed the satisfaction promised by him in the treaty, nor ruling according to the counsels of the kingdom, but forsaking them, to join with counsels and forces which he was bound to abandon, be not such a break of all his promises, and such a discovery of his hatred to the cause and covenant, as gives good ground not to intrust him with the exercise of sovereign power; and whether an effectual course ought not to be taken for the trial of the last malignant design of the king's deserting the public counsels, and of all those who had accession to it? and they implored them to consider that if it were a sin in them to intrust power into the hands of a king unworthy to reign over their own nation, how much more aggravated the guilt would be in endeavouring to impose such a ruler on England where his power would be increased."*

LIII. The committee of estates were much divided in opinion respecting the remonstrance. Eglinton would immediately have voted it scandalous and treasonable, and ordered it to be burned by the hands of the common hangman; sir James Hope was for a moderate reply, or referring the whole to the commissioners of the kirk. Argyle proposed that while what regarded religion might be referred to the commission, a strong answer ought to be issued by the committee; and after a long and warm debate, a declaration was agreed upon, stigmatizing the "said paper, as it relates to the parliament and civil judicatories, as scanda-

Resolution of the committee of estates respecting it.

* Scottish Acts, vol. vi. Balfour, vol. iv. Baillie, vol. ii. Whitelock, p. 484, et seq. * A True Representation of the Present Divisions of the Church of Scotland, Lond. 1657.

lous and injurious to his majesty's person, and prejudicial to his authority; and in regard of the effect it hath already produced, and those that are like to follow thereupon, if not prevented, it holds forth the seeds of divisions of a dangerous consequence; and that it is dishonourable to the kingdom, in so far as it tends to ane breach of the treaty with his majesty at Breda, also strengthens the hands of the enemy, and weakens the hands of honest men; yet because diverse honest, faithful, and religious gentlemen, officers, ministers, and others of approven fidelity and integrity in the cause, of whom the committee could not harbour the least thought to their prejudice, had been ensnared;—the king and committee declared the said persons free from any imputation upon their names, or censure upon their persons or estates, except they should after this declaration persist in prosecuting what is contained therein contrary to the laws of the kingdom."

LIV. As soon as they had agreed upon a declaration, the committee transmitted it to the commission of the general assembly, with a request that they would also declare their sense of the remonstrance, in order that it might be laid before parliament. The commission agreed with the leading truths in the remonstrance; they were satisfied as to the facts and the principles, they only hesitated as to the propriety of openly declaring them at the time, and objected to some particular expressions which seemed to reflect upon the general assembly, or were so incautiously framed as to admit of misconstruction by the enemy. After much disputation, they adopted the following very equivocal report upon the subject:—

Report of the commission of the assembly upon it.

"The commission having taken into their consideration the said remonstrance, doth find and acknowledge therein to be contained many sad truths in relation to the sins charged upon the king, his family, and the public judicatories, which also we are resolved to hold out and press upon them in a right and orderly way; together with such other sins as we find by impartial search, and the help of the Lord's Spirit upon our endeavours therein, that they may take with them, and be humbled before the Lord in the sense thereof. We do find it our duty to show that, in respect, there seems to be therein intrenching upon some conclusions and determi-

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nations of the general assembly; and in respect of inferences and applications made therein in relation to the king's interest, and the exercises of his power and government; and in regard of the engagements, which in the close thereof they declare to be upon their hearts before God, in relation to evidences for remedying the things contained in it, we are dissatisfied therewith; and that we think it apt to breed division in kirk and kingdom, as we do find already in part by experience, and that the enemy hath taken advantage thereat; and because of the tender respect and love we owe, and most cordially carry to the gentry, officers, and our brethren of the ministry, who have concurred in the said remonstrance, as being religious and godly men, and such as have always given proof of their integrity, faithfulness, and constancy in the cause of God, and for entertainment of love, unity, and conjunction amongst the people of God, in acting according to their calling and station against the public enemy, the breach of all which Satan at this time is eagerly driving at, and the enemy is greedily desiring and expecting, —We do resolve to forbear a more particular examination of the said remonstrance, expecting that at the next diet of this commission, these worthy gentlemen, officers, and brethren, will give such a declaration and explanation of their intentions and meaning as may satisfy both kirk and state, without any further inquiry or debate thereupon."*

Parliament meets.

LV. Next day the parliament met, and the chancellor, Loudon, was chosen president.† His majesty Charles II. then pronounced his maiden speech:—"My lords and gentlemen,—It hath pleased him who ruleth the nations, and in whose hands are the hearts of kings, by a very singular providence, to bring me through a great many difficulties into this my ancient kingdom, and to this place, where I may have your advice in the great matters that concern the glory of God, and the establishment of my throne, and that relate

The king's speech

* Scottish Acts. Balfour. Baillie, ut supra.

† Among the extraordinary proceedings of this parliament, Balfour notices "Mem. This evening. candle being lighted in the housse, a great stock oale muttit on the tope of the croune, which, with the suord and sceptre, lay one a table over against the throne." Ann. vol iv. p. 200. For the meaning of muttit, vide Tobit, ii. 10.

the general good and common happiness of these three venanted kingdoms, over which he hath set me: and, tru-, I cannot express the height of that joy wherewith he hath led my soul from this signal experiment of his kindness, or how strong and fervent desires he hath created in me to idence my thankfulness, by standing to reign for him, and ith an humble and just subordination to him. That which creaseth my hope and confidence that he will yet continue dwell graciously with me is, that he hath moved me to ter in covenant with his people—a favour no other king n claim—and that he has inclined me to a resolution, by s assistance, to live and die with my people in defence of it. his is my resolution, I profess it before God and you, and testimony hereof, I desire to renew it in your presence, and it shall please God to lengthen my days, I hope my actions all demonstrate it; but I shall leave the enlargement of is, and what farther I could say, to my lord chancellor, hom I have commanded to speak to you at greater length, d likewise to inform you of my sense, not only of the lly, but the sinfulness of my going from this place, and e reasons of it." The chancellor, as soon as the king d concluded, repeated to the parliament the reasons for e start, and the penitence and sorrow of his majesty for the me, in terms similar to what Charles himself had made e of to the committee. The first and most important ob-ct which was brought under consideration was the existing visions; and the committee, which was appointed to ar-nge with the commissioners of the church the ceremony the coronation, was empowered to confer on the reasons, *ro* and *contra*, why men should be admitted or excluded om joining with the army, or acting a part against the ommon enemy.*

LVI. As a preliminary to the inauguration of the young monarch, two fasts were appointed, one for the contempt of he gospel, and "ane ither for the sins of the king, his

* The committee consisted of Argyle, Eglinton, Cassilis, and Lothian, noble-men.—Toftis, Duffus, Buchanan, Ara, barons.—Andrew Grant, Perth, Alex-ader Bower, Dundee, James Sword, St. Andrews, and George Jamieson, Dupar, burgesses. Charles had at this time asked to marry Argyle's daugh-er! but the marquis declined the honour.

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family, and nobility;" and in order to promote unity, colonel Montgomery was ordered to march with a force to the west to join the association and take the command. The proceedings of the parliament were not, however, agreeable to the western leaders. Strachan, who was decidedly averse to the authority of the king, in present circumstances, and urged strongly the propriety of making at least an attempt to treat with Cromwell before proceeding farther in the contest, when he found his arguments of no avail, laid down his commission; and Kerr, on whom the command devolved, unwilling to surrender his charge to Montgomery without distinguishing himself, resolved to make a dash at an English force under Lambert, which had been sent against him; and which he was informed was greatly inferior in number, and lay at Hamilton in unsuspecting security. But the enemy, considerably superior in strength, were upon the alert, and when Kerr charged their quarters on the 1st December, at four o'clock in the morning, he was so warmly received, that, after a short skirmish, his whole forces were dispersed, and himself wounded and taken prisoner.* The few who rallied in Kyle were persuaded by Strachan to disperse, and he himself, despairing of the success, as well as disgusted with the state of the quarrel, went over to the enemy.

Kerr defeated at Hamilton, and taken prisoner.

Strachan goes over to Cromwell.

LVI. Kerr's disaster, which dissipated between 5000 or 6000 cavalry, was instantly improved by the lords of the engagement, many of whom had now been admitted into parliament; and with whom the moderate party of the presbyterians concurring, a letter was sent to the moderator of the general assembly, to call an extraordinary meeting of the commission of the kirk, for the purpose of giving their advice respecting who were to be admitted or rejected from the service in the present extremity. The moderator, Mr. Robert Douglas, perceiving that this was only an order couched in other terms for the commission to approve of the conduct of parliament in receiving those excluded by the act of classes; and aware of the strong divisions that existed among his brethren upon that subject, unwilling to diso-

Parliament apply to the commission for their advice.

* Baillie seems to hint, that Kerr was not altogether hearty in the cause, but unfortunate officers seldom escape suspicion. Journal, vol. ii. p. 364.

oliged the ruling party, yet afraid to face an angry discussion, excused his refusal, as the regular meeting would take place within a few days; but the majority in parliament were sensible that the opinion of the common acting members was against them, and in a sharp reply, ordered the moderator instantly to comply with their former requisition, otherwise the parliament would be forced to act without their advice or concurrence; at the same time they wrote to the ministers in the neighbourhood of Perth, to assemble in that town on an appointed day "for relief of the distressed country, calling for present help at their hands." But as the commission, at the time when they gave in their sense of the western remonstrance, had along with it given in a modified remonstrance of their own, the estates, to sooth the ministers for their apparent disrespect, now returned a humble reply, acknowledging the justice of a number of their reproofs, lamenting in general their many sins in this time of sad affliction, and promising reformation and amendment in any particular cases which the commission should legally point out. With some difficulty a quorum of the commission—chiefly Fife ministers—was procured; and the much disputed question was submitted to their consideration in the following shape:—"what persons are to be admitted to rise in arms, and to join with the forces of the kingdom; and in what capacity for defence thereof against the armies of the sectaries, who, contrary to the solemn league and covenant and treaties, have most unjustly invaded, and are destroying the kingdom?" Their answer was, "In this case of so great and evident necessity, we cannot be against the raising of all fencible persons in the land, and permitting them to fight against this enemy for defence of the kingdom; excepting such as are excommunicated, forfeited, notoriously profane or flagitious, or such as have been from the beginning, or continue still, and are at this time, obstinate and professed enemies and opposers of the covenant and cause of God; and for the capacity of acting, that the estates of parliament ought to have—as we hope they will have—special care that in this so general a concurrence of all the people of the kingdom, none be put in such trust and power as may be prejudicial to the cause of God; and that such officers as are

Their answer.

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of known integrity and affection to the cause, and particularly such as have suffered in our former armies, may be taken special notice of."

Estates order a levy.

LVII. Upon receiving an answer so congenial to their desires, the estates proceeded to pass an act of levy, ordering all the fencible men in the country, from sixteen to sixty, to be imbodied; and all the officers who were obnoxious to church censure hastened, with ludicrous and hypocritical professions of repentance, to obtain forgiveness and re-admission into the bosom of the church, that they might be qualified to resume their situations in the army.* But the constitutional covenanters exclaimed loudly against these resolutions, which they reprobated as encouraging profanation, by accepting professions of repentance from men, of whose sincerity they had no proof, and whose conduct, even in the most charitable construction, was far from satisfactory. When the appointment of the officers came to be discussed, the full extent of the concessions were understood, and occasioned a long and violent debate; but the high royalist party were successful; and in the nomination of the colonels, a number were appointed who had ranged under the banners of Montrose, and who had, within the last twelve months been twice declared rebels for their insurrections in the north. Next day, the lord chancellor protested against the decision, and the debate was renewed; nor was it till after several stormy meetings that it finally passed, with a large proportion of malignants as officers. No sooner was it passed than all the noblemen and gentlemen, appointed officers in the army, received liberty of access to his majesty, notwithstanding any former restrictions; and the committee of estates soon saw themselves obliged to share with the privy council the power, which, in conjunction with the commission of the church, they had hitherto enjoyed almost without control.† Yet, amid accumulating

Malignants admitted to the army.

* Among these was Middleton, who had been excommunicated by Mr. James Guthrie, one of the ministers of Stirling.

† The party of moderate covenanters, at the head of which stood Argyle, very soon began to feel the effects which their more consistent brethren predicted, from the reception of the engagers into parliament; and it is curious to observe this almost immediately apparent in their minutes. The commit

divisions, both political and religious, the preparations for Charles' coronation proceeded with great show of satisfaction, and on a scale of splendour befitting rather the pride than the poverty of an exhausted, broken down, distracted country.*

LVIII. The close of the year was marked by disaster; the west was defenceless, and scoured by parties of the enemy, and Edinburgh castle, hitherto a virgin fortress, surrendered without a shot. It was an object of great importance to both parties; it contained the records of the country, the wealth of the Lothians, and while it remained unreduced, Cromwell's army was cramped in its movements, and forced always to leave a considerable body of troops to observe it. It had been provisioned for a siege; and, on the 13th of December, Augustine, a German, who acted as an independent partisan for Charles, had gallantly broken through the besiegers' lines, and thrown in a re-enforcement, with supplies to the garrison. The enemy had commenced mining, erected some batteries, and opened their fire; but no serious impression had been made, when the governor, after some short interchange of letters, accepted of the conditions offered:—"That the public registers, and all public property, should be conveyed safely to Fife, or Stirling;—that all pri-

Edinburgh castle surrenders to Cromwell.

of estates had previously managed all public business, the intercourse with foreign nations, as well as the internal regulation of the kingdom; this power they appear to have wished to keep, and to get legalized; and accordingly, December 28th, 1650, the minute, as first written, ran thus:—"Ordaines a claus to be insert in the act of the committee of estaitts, or in any other commissione, qrby they may have power to keep correspondence with other nations." But, upon subsequent discussion, that sentence was deleted, and the following substituted:—"The k. majestie, and parliament, remitts to the privie councele to think upon a way whereby they may keep correspondence with other nations." Acts, vol. vi.

* Baillie draws a melancholy and affecting picture. "It cannot be denied, but our miseries and dangers of ruin are greater than for many ages have been; a potent, victorious enemy master of our seas; and for some good time, of the best part of our land; our standing forces against this, his imminent invasion, few, weak, inconsiderable; our kirk, state, army, full of divisions and jealousies; the body of our people besouth Forth, spoiled, and neer starving; the benorth Forth, extremely ill used by a handful of our oun; many inclining to agree, and treat with Cromwell without care either of king or covenant, none of our neighbours called upon by us, or willing to give us any help, though called." Letters, vol. ii. p. 367.

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vate property, lodged in the castle for security, should be faithfully restored to its owners;—that the governor and garrison should march out with the honours of war, and be at full liberty to retire with a free pass to Burntisland, or wherever they please, or remain in the city of Edinburgh, without molestation." The whole guns in the castle, at that time delivered up, were sixty-seven. Three iron, beside the Great Mag five, seven nine and twenty-four pounders, and several smaller brass pieces, which went by the names of falcons, petards, dogs, and monkeys. Cromwell announced the fall of this fortress to the parliament as a great and seasonable mercy; which, if it had not come in the way it did, must have cost very much blood to have attained, if at all to be attained; at Perth, the intelligence was lamented as a dark dispensation, of which the treachery of Dundas was the immediate sinful cause;* at all events, it left Cromwell at liberty to bend his whole attention to the ulterior objects of the war.†

1651. Coronation of Charles.

LIX. January first, one thousand six hundred and fifty-one, was the day on which Charles II. was crowned, at Scoone, covenanted king of Scotland, England, and Ireland. The future events of this monarch's reign give an interest to the ceremonies of the occasion, which state pageantries, in ordinary circumstances, do not possess; it was a solemn ratification of the mutual compact between a king and his people, as

* Cromwell's despatches. Balfour's Ann. vol iv. Scottish Acts, vol. vi. Acts of Assemb. Baillie, vol. ii.

† From the correspondence which Cromwell says he transmitted to the parliament, "for their unusualnesse," the conduct of Dundas, does not appear to have been altogether free from blame. He stickled greatly about his conscience and duty, in not rendering the castle to any but those from whom he had it in charge; and Cromwell answered several of his letters patiently and argumentatively, till finding the governor rather pertinacious, and greatly given to repetitions, he settled his casuistical doubts by a very brief epistle, "Sir, All that I have to say is shortly this:—that if you will send out commissioners by 11 o clock this night, thoroughly instructed, and authorised to treat and conclude, you may have honourable terms, and safe to you and those whose interests are concerned in the things that are with you. I shall give a safe conduct to such whose names you shall send within the time limited, and order to forbear shooting at their coming forth and going in. To this I expect your answer within one hour." Next day the castle was surrendered. Perfec. Diur. December 23d to 30th, 1650.

explicit, and as binding, as any moral and religious obligation can be rendered, by the most awful sanctions of which the highest and most sacred contract among men is susceptible. In the morning, the king, in a prince's robe, was conducted from his bedchamber, by the constable on his right hand, and the marshal on his left, to the chamber of presence, and placed in a chair of state, under a canopy, by lord Angus, chamberlain for the day. Being seated, the nobles, with the commissioners of barons and burroughs, were introduced, and presented to his majesty, when the earl of Loudon, lord chancellor, thus addressed him :—" Sir, Your good subjects desire that you may be crowned, as the righteous and lawful heir of the crown of this kingdom; that you would maintain religion as it is presently professed and established, conform to the national covenant, and the league and covenant, and according to your declaration at Dunfermline in August last; also, that you would be graciously pleased to receive them under your highness' protection, to govern them by the laws of the kingdom, and to defend them in their rights and liberties by your royal power; offering themselves, in the most humble manner to your majesty, with their vows, to bestow land, life, and what else is in their power, for the maintenance of religion, for the safety of your majesty's sacred person, and maintenance of your crown; which they entreat your majesty to accept, and pray God Almighty, that for many years you may happily enjoy the same." His majesty most graciously answered, " I do esteem the affections of my good people more than the crown of many kingdoms; and shall be ready, by God's assistance, to bestow my life in their defence, wishing to live no longer than I may see religion and this kingdom flourish in all happiness!"

Earl of Loudon's address.

The king's reply.

LX. From the presence chamber the king proceeded to the church, accompanied by all the noblemen and gentlemen present; the spurs being carried before him by the earl of Eglinton, the sword by the earl of Rothes, the sceptre by the earl of Crawford and Lindsay, and the crown by the marquis of Argyle, who immediately preceded him. He walked between the great constable on his right, and the great marshal on his left, under a canopy of crimson velvet, supported by six earls' sons, and his train borne by four

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lords. The church was fitted up for the occasion; a chair was set opposite the pulpit for the king, and around were benches for the accommodation of the parliament and rest of the auditory during sermon,—in the middle a stage was erected, twenty-four feet square, and raised from the ground about six feet; on this the throne was placed. The sermon was preached by Robert Douglas, one of the ministers of Edinburgh, and moderator of the commission, a man strongly attached to a limited monarchy, but a firm presbyterian; his text was strikingly apposite, 2 Kings xi. 12—17. "And he brought forth the king's son, and put the crown upon him, and gave him the testimony: and they made him king, and anointed him; and they clapped their hands, and said, God save the king.—And Jehoiada made a covenant between the Lord and the king and the people, that they should be the Lord's people; between the king also and the people." The sermon has been printed; it is ingenious and able, and contains many admirable precepts, delivered in a strain of manly freedom, and with a devout earnestness, which but seldom meet the royal ear upon such occasions. The reciprocal duties of kings and subjects are inculcated with plainness and force; and the nature of the compact between sovereign and subject, in a limited monarchy, is stated with clearness and precision. The political and religious topics which divided the nation are handled with dexterity; but although he failed in presenting to the king the only remedy for the evils of sectarianism, he, with almost prophetic sagacity, in the conclusion, fervently warned him against imitating the sins of his grandfather, "the guiltiness of whose transgression lyeth on the throne, and on the family."—"Many doubt of your reality in the covenant:" continued the preacher, "let your sincerity and reality be evidenced by your steadfastness and constancy; for many, like your ancestor, have began well, but have not been constant; take warning from the example before you, let it be laid to heart, requite not faithful men's kindness with persecution,—yea, requite not the Lord so, who hath preserved you to this time, and is setting a crown upon your head,—requite not the Lord with apostasy and defection from a sworn covenant!" After sermon, the national covenant, and the solemn league and

The sermon.

covenant, were distinctly read; the minister then prayed for grace to perform the contents of the covenants, and for faithful steadfastness in the oath of God, and administered the oath to the king, who, kneeling, and lifting up his right hand, swore, "I, Charles, king of Great Britain, France, and Ireland, do assure, and declare by my solemn oath, in the presence of Almighty God, the searcher of hearts, my allowance and approbation of the national covenant, and of the solemn league and covenant above written; and faithfully oblige myself to prosecute the ends thereof in my station and calling; and that I, for myself and successors, shall consent and agree to all acts of parliament enjoining the same, and establishing presbyterial government, as approven by the general assemblies of this kirk, and parliament of this kingdom; and that I shall give my royal assent to acts and ordinances of parliament passed, or to be passed, enjoining the same in my other dominions; and that I shall observe these in my own practice and family, and shall never make opposition to any of these, or endeavour any change thereof." Having sworn, he subscribed the covenants, and his oath, written out upon a roll of parchment, as the charter by which he held his crown, and was entitled to the people's obedience. He then ascended the stage, and formally took possession of his throne; the lord high constable and earl marshal also ascending, proceeded to the different sides of the stage, the lord lyon-king-at-arms proclaiming before them, "Sirs—I do present unto you the king, Charles, the rightful and undoubted heir of the crown and dignity of this realm:—this day is by the parliament of this kingdom appointed for his coronation:—are you not willing to have him for your king, and become subject to his commandments?" At every proclamation, the king presented himself to the people; and the multitude shouted, God save king Charles the Second.

He swears to the covenant.

LXI. His majesty, when he had been shown to the people, and accepted by them for their king, descended from the stage, and resumed his former seat. Being asked if he was willing to take the oath appointed by the parliament to be taken at the coronation, he answered, "Most willing;" and the lord-lyon read the act and oath as follow:—"Because

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that the increase of virtue, and suppressing of idolatry, craveth that the prince and the people be of one perfect religion, which, of God's mercy, is now presently professed within this realm; therefore it is statuted and ordained by our sovereign lord, my lord regent, and three estates of this present parliament, that all kings, princes, and magistrates whatsoever, holding their place, which hereafter at any time shall happen to reign and bear rule over this realm, at the time of their coronation, and receipt of their princely authority, make their faithful promise in the presence of the eternal God, that, enduring the whole course of their lives, they shall serve the same eternal God, to the uttermost of their power, according as he hath required it in his most holy word, revealed and contained in the New and Old Testaments; and according to the same word, shall maintain the true religion of Christ Jesus, the preaching of his holy word, and due and right ministration of the sacraments now received and preached within this realm, and shall abolish and gainstand all false religions contrary to the same; and shall rule the people committed to their charge according to the will and command of God, revealed in his foresaid word, and according to the loveable laws and constitutions received in this realm, nowise repugnant to the said word of the eternal God, and shall procure to the uttermost of their power to the kirk of God, and whole christian people, true and perfect peace in time coming. The rights and rents, with all just privileges of the crown of Scotland, to preserve and keep inviolate; neither shall they transfer, nor alienate the same; they shall forbid and repress in all estates and degrees, rife, oppression, and all kinds of wrong. In all judgments, they shall command and procure that justice and equity be keeped to all creatures without exception—as the Lord and Father of mercies, be merciful unto them—and out of their lands and empires they shall be careful to root out all heretics, and enemies to the true worship of God that shall be convict by the true kirk of God, of the foresaid crimes, and that they shall faithfully affirm the things above written, by their solemn oath." When the lord-lyon had done reading, the minister tendered the oath to the king, who, kneeling and holding up his right hand, swore, in these impressive words,

The coronation oath.

"By the Eternal and Almighty God, who liveth and reigneth for ever, I shall observe and keep all that is contained in this oath."

LXII. The prince's robe was then taken from him by the lord high chamberlain, and he was arrayed in his royal robes. The constable put the sword into his hand, saying, "Sir, receive this kingly sword, for the defence of the faith of Christ, and protection of his kirk, and of the true religion, as it is presently professed within this kingdom, and according to the national covenant, and league and covenant, and for executing equity and justice, and for punishment of all iniquity and injustice." The king returned the sword to the constable, so soon as he had finished, who girt it to his side; the earl marshal put on his spurs. After which, the marquis of Argyle took the crown in his hands, and while he held it, a prayer was offered up, "That the Lord would purge the crown from the sins and the transgressions of them that did reign before him; that it might be a pure crown; that God would settle it upon the king's head, and since men that set it on, were not able to settle it, that the Lord would put it on, and preserve it." Prayer concluded, the marquis put the crown on his majesty's head. A herald then summoned the nobility, according to their rank, to take the oath of allegiance; who successively approached, and kneeling, with their hand touching the crown, swore to support the king to their uttermost. When each had so sworn, the whole collectively held up their hands, and swore to be loyal and true subjects, and faithful to the crown. After the nobility were sworn, the Lyon proclaimed the obligatory oath to the people, they holding up their right hands while he pronounced, —"By the Eternal and Almighty God, who liveth and reigneth for ever, we become your liege men, and truth and faith shall bear unto you, and live and die with you, against all manner of folk whatever, in your service, according to the national covenant and solemn league and covenant." All having sworn, the nobles put on their coronets, and the earl of Crawford and Lindsay delivered the sceptre into the king's hand, with this charge, "Sir, receive this sceptre, the sign of royal power of the kingdom, that you may govern yourself right, and defend all the Christian people committed to

Ceremonies.

Nobles take the oath of allegiance.

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your care by God; punishing the wicked, and protecting the just." On which the king, preceded by the grand constable, carrying the sword of state, drawn, and attended by the officers of the crown, and the nobility, again ascended the stage, and was installed in the royal throne by the marquis of Argyle, who thus addressed him:—"Stand and hold fast from henceforth the place whereof you are the lawful and right heir, by a long and lineal succession of your fathers, which is now delivered unto you by Almighty God." After which, the officiating minister addressed to him an exhortation, seated on his throne:—"Sir, (said he,) you are now seated on a throne, in difficult times. I shall therefore put you in mind of the scriptural expression of a throne.—It is said, Solomon sat on the throne of the Lord; you are a king in covenant with the Lord; your throne is the Lord's throne. Remember you have a King above you, the King of kings, and Lord of lords, who commandeth thrones; and your people are his people. Let your government then be refreshing unto them as the rain upon mown grass. Your throne is the Lord's throne; beware of making it a throne of iniquity; there is such a throne, Psal. xciv. 20, which frameth mischief by a law. God will not own such a throne; it hath no fellowship with him. Sir, there is too much iniquity upon the throne, by your predecessors, who framed mischief by a law—such laws as have been destructive to religion, and grievous to the Lord's people; you are on the throne, and have the sceptre; beware of touching mischievous laws therewith. 'Hear the word of the Lord, O king, that sittest upon the throne; thou, and thy servants, and thy people; execute ye judgment and righteousness, and deliver the spoiled out of the hands of the oppressors; and do no wrong, do no violence to the stranger, the fatherless, nor the widow; neither shed innocent blood in this place. For if ye do these things indeed, then shall enter by the gates of this house, kings sitting upon the throne of David: but if ye will not hear these words, I swear by myself, saith the Lord, that this house shall become a desolation. I will prepare destroyers against thee.' But, sir, if you use well the Lord's throne, these words, spoken of Solomon, sitting on the Lord's throne, shall belong to you: he prospered, and all Israel

Exhortation.

ed him." The king next showed himself to the people ered without the church, arrayed in his kingly attire, was welcomed with loud acclamations, of God save the

On returning to his throne, the nobles were again duced by the lord-lyon: each kneeling, with his hands een the king's hands, swore fealty in the same words as ommon people, according to the national and solemn ıe and covenant; and, on rising, kissed his majesty's heek. These solemnities ended, the minister pronounc- blessing:—"The Lord bless thee, and save thee:— ord hear thee in the day of trouble:—the name of the of Jacob defend thee:—the Lord send thee help from anctuary, and strengthen thee out of Zion. Amen." the whole proceedings of the day were closed by an ess to the king, the nobles, and people, remarkable he plainness and energy with which they were seve- admonished to fulfil the obligations they had that day ed into, and the danger and crime of forgetting their

III. The dangers with which the royalists were sur- ded, and the tone of anxious, hesitating doubt, occa- d by mistrust of the king, which softened down the gra- ons of the day, threw somewhat of prophetic terror ıd the dark and gloomy forebodings with which the re- ıtrants viewed a transaction entirely subversive of their r. Their immediate predictions were fulfilled,—the ma- nts obtained the ascendency; and it was with difficulty their champion Warriston was allowed to remain on the nittee of estates.* But their fears of the ceremony be- narred by the presence of Cromwell, proved ground- and the recruiting of the army proceeded with so much , that it was now equal in numbers to that destroyed at ɔar. The capture, too, of an English store-ship about ame time, which most opportunely supplied the army provisions, was received as an evident sign of the pro- ıce of God, favouring the cause of a covenanted people ɛing.†

Forebod- ings of the remon- strants re- alized--ma- lignants ob- tain the as- cendency.

IV. At the session of parliament, which met in March,

* Baillie, vol. ii. p. 568. † Balfour, vol. iv. p. 241.

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in the choice of president, the chancellor was set aside, and lord Burghley elected. The courtiers having next obtained a vote of censure on Mr. James Guthrie, minister of Stirling, for his opposition to the resolutions, they proceeded, as was to be expected, to advance in their claims: they first procured the admission of the high royalist party into the committee of estates; and, what was of still greater importance, they got the nomination of a committee for managing the business of the army, accountable only to the king and parliament, by which the marquis of Argyle, and the whole of the moderate presbyterians, were removed from the direction of public affairs, or, what was equivalent, outvoted on every question of importance. Against this measure there was strong opposition: the king himself, who interfered, and spoke frequently in the debate, was answered by the chancellor and secretary; who both openly reproached him with inconstancy towards his best friends, deserting those who had brought him to the country and put the crown upon his head, for men who had been the ruin of his father, in violation of his repeated assurances and most solemn oaths, in public and private, in writing and in print; and a formal dissent was given in, subscribed by thirteen noblemen, but so much had the moderate party declined, that it was not allowed to be recorded.* The ultras, now a majority, to show the sense they had of his majesty's favour, entreated him to take upon himself the conduct of the army, which he graciously condescended to do, assuring them, "That he was confident there was none there that would distrust him, since he had as much at stake as any of them all, forby [besides] the oath of God, which was on him as their king, yea, their covenanted king."

Argyle and his party outvoted.

Ultras entreat the king to take command of the army—he consents.

LXV. The next session, held at Stirling in May, completed what the former had left undone. The opinion of the commission of the church had been asked with regard to rescinding the act of classes, as the great obstacle in the way of unanimity, so necessary in the time of public danger. The commission, who saw that their sanction was required to the repeal of an act, which formed the only, though fee-

* Balfour, vol. iv. p. 274-5. Scottish Acts.

ble barrier against the entire ascendency of the opposite party—who were willing to sacrifice every thing to get into full power—and that their opinion would be represented as the grounds of the parliamentary proceedings, in their answer, "Declared, lest any aspersion should be cast upon them, for encroaching upon, or intruding themselves into the office of civil power and authority, that they did not assume to themselves, nor was it competent for them to make or repeal acts of parliament; and as they had no hand in making the act of classes, so neither would they take upon them to determine whether it ought to be continued or repealed; nor would they give any opinion respecting the obligation of the treaty with England. But as for the solemn league and covenant, and other declarations, they did not think that they particularly determined any definite time for excluding persons from office for bygone offences; so that nothing, upon account of these grounds, hindered, but that persons, formerly debarred from places of trust, may have the censures inflicted upon them by the acts of classes rescinded, without sin, by the parliament, provided they be men who have satisfied the church, renewed the covenant, of good affection to the cause of God, and of a blameless and christian conversation; which ought always carefully to be observed, and made conscience of, though there were no such act as the act of classes." This opinion was deemed sufficient to authorize rescinding the obnoxious statute; but yet, to keep up a show of attachment to the covenants, an act was previously passed for securing religion, and the work of reformation, in which great attention was paid to retain the form, while the spirit of these engagements was most flagrantly violated. The choice of the committee of estates, at the close of the parliament, evinced to what extent the liberty of admission into the highest and most responsible offices was carried; by the special nomination of the king, Buckingham was added, as supernumerary, to a list which included the most violent malignants. On the 6th of June, the session was prorogued until the third Wednesday of November; but the state of the times occasioned rather a more protracted adjournment. The nominal value of the currency was raised in this parliament, the gold twelve and a half, and the silver

Act of classes rescinded.

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ten per cent.; and the mint, or cunzie-house, was removed from Edinburgh to Dundee. The forfeiture of Huntly was repealed, and Lewis Gordon restored to the estate and titles of his father.

Huntly's forfeiture repealed.

LXVI. Charles himself now appeared at the head of his army as commander-in-chief; with Hamilton as his lieutenant, and Leslie as his major-generals. But they wisely adhered to the defensive system; and, while the English were reducing the castles of Hume, Tantallon, Borthwick, and Roslin, they were busily employed in strengthening their position, in which they suffered no interruption, as Cromwell, during the winter months, was prevented, by an ague, from enduring fatigue, or superintending affairs in the field. The Scottish lines rested with their left upon Stirling, their right upon the Torwood, and the river Carron protected their front: the important passes thus in their possession, they secured a supply of recruits and provisions from the north; and had they been masters of a fleet, or possessed a supporting army in the north, they might have bid the enemy defiance. But they were unable to cope with the English at sea, and they had neglected, or were without the means of assembling any other force of consequence.

Charles assumes the command of the army.

Its position.

LXVII. The English were aware of the difficulty, if not impossibility, of dislodging them by an attack in front, and had, besides, a superstitious dread of the ground in the neighbourhood of Bannockburn. Three different plans were therefore suggested to Cromwell:—to march by a circuitous route, and attack from the west; to cross over to Fife, at Inverkeithing or Burntisland, and harass them from that quarter; or to transport a part of the army to Angus by sea, and after dispersing any levies or re-enforcements which might be in preparation there, to seize on Perth, and cut off all resources from the north.* With the return of spring, and the recovery of health, Cromwell recommenced his field operations. Having collected a flotilla of small craft at Leith and Musselburgh, he marched westward with a great part of his army, making a demonstration as if to turn the Scot-

* Nickol's Original Letters, and Papers of State, p. 62. Letters for the army. Perf. Diur. Cromwell's despatches.

tish entrenchments, or attempt the fords of the Forth, while his boats made an attack upon Burntisland; but the armament being beaten off from Burntisland, and the positions of Leslie too well chosen to allow the other movements any chance of success, the English general returned to his old quarters about Linlithgow. Partial skirmishing took place daily between the armies, in which the Scots seem in general to have had the advantage, which the English letters from the army attribute, and probably with truth, to their superior local knowledge. But while attracting the attention of their opponents to the front of their lines, and to repeated attacks upon the strongly fortified point of Burntisland, an English detachment of about fourteen hundred men, under Overton, surprised North Queensferry. Sensible of their error in leaving so important a passage so feebly protected, a strong body of forces were despatched from Stirling, under generals Brown and Holborne, to regain it; but they were anticipated by Cromwell, who threw over a powerful support, under Lambert, to secure the advantage. A fierce engagement ensued upon the heights, which ended in the defeat of the Scots, who were almost entirely destroyed, nearly two thousand falling in the field, and five or six hundred taken prisoners, among whom was sir John Brown, their gallant commander, severely wounded, and who only survived a few days. Inverkeithing and Burntisland were the reward of this victory, and great part of the English army being crossed over, they soon became masters of the whole of Fife. Cromwell did not long remain inactive, but marched straight to Perth, which was surrendered by lord Duffus, the governor, on the same day on which it was invested. By the loss of Perth, Charles' situation was rendered critical, yet not desperate; and had his ambition been only confined to the kingdom which had so generously received him, his resources were not so completely exhausted as to have rendered it necessary for him to leave it. If Fife and Perth were occupied by the enemy, the west and the south were relieved; nor while his army remained entire, could Cromwell boast of being master of more than what he had actually military possession of: the highlands were still open, and the route circuitous, yet supplies, although scanty, might

Cromwell dare not attack it.

The English take North Queensferry.

Scots defeated.

Cromwell takes Perth, &c.

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have been obtained, and the clans of the north, if not formidable as a regular force, were terrible in desultory warfare. Cromwell dreaded another winter campaign, as productive of "ruin to his soldiery, for whom the Scots were too hard, in respect of induring the winter difficulties of the country," besides the "endless expense to the treasury of the commonwealth."

Charles' advisers magnify his difficulties.

LXVIII. Unfortunately, the king's advisers were equally tired of the fatigues of a protracted warfare; and considering the possession of Scotland as a secondary object, magnified the difficulties with which he was surrounded, and exaggerated the strength, ardour, and preparations of his adherents in England. If he remained where he was, they said, he must either starve, or fight under disadvantageous circumstances, as Cromwell now would have his choice of the ground; but the road to his capital was unobstructed, and his enemy might be distanced in the march; the presbyterians, disgusted with the dominion of the sectaries, were waiting to join their deliverers, and nothing was wanting but the presence of his majesty to rouse a loyal people to declare in his favour. Argyle alone deprecated the idea of deserting a country where the royal authority was acknowledged, whose population had been so severely tried, and who had suffered so much in his cause, for the unpromising risk of an invasion into a country where his title was proscribed, and another form of government established; especially as promises much more flattering had proved delusive, and when the miserable wreck of the last expedition remained still fresh before them, as a warning beacon. His influence, however, was gone; his reasons were rejected as pusillanimous, and he was permitted to retire to his estate, when, about the beginning of August, the Scottish camp suddenly broke up, and Charles marched for England. His army was estimated at eighteen thousand men, but it was made up of very discordant materials, rent into factions, and daily lessened as it advanced, by the desertion of the better informed, or more zealous presbyterians.

Argyle deprecates his leaving the country.

He marches for England.

LXIX. Cromwell was at Perth when the news reached him of the Scottish army's march south. It was what he had hoped might be the consequence of his own progress in the

north, but he was rather surprised at its taking place so soon. His measures were as usual prompt:—leaving a garrison in Perth, he sent general Monk, with between five and six thousand men, to reduce Stirling, and proceeded himself with the remainder of his forces in the pursuit. In his letter to the speaker, which announced the expedition of the Scots—accounting for his not interposing between them and England, and informing him of the arrangements he had adopted, he remarked the similarity of the situation of their army to what it had been at Preston, only characterized by more desperate folly, from the settled state of the country, and their own depression. They were then a proud unbeaten force, but now they were dispirited by repeated disasters; and he encouraged the parliament to hope for a still greater triumph. All his plans were formed with a sound foresight and discretion that ensured success. The king had gained some days' march in advance, but major-general Harrison, and colonel Birch, with upwards of four thousand horse, hung upon his flanks, intercepted his recruits, and harassed his foraging parties. Lambert followed with another considerable body of horse, to hover in his rear, and act in concert with Harrison, as occasion required; and the council, by his instructions, collected the militia, and such troops as they could, on the spur of the moment, to obstruct their progress, and allow the main army, under the general himself, time to arrive.

Cromwell follows.

LXX. Instead of finding, as he had been flattered, a people ripe for insurrection, Charles found the population submitting quietly to their rulers, everywhere averse to change, and particularly inimical to his royal pretensions. A correspondence between the English and Scottish presbyterians, having been detected, it tended—as all discovered plots do—to strengthen the government it was meant to subvert. The presbyterians were afraid to venture upon any new scheme, and anxious to clear themselves from any connexion with the old; nor indeed had they much encouragement to act otherwise; for although their brethren in the Scottish camp had prevailed upon the king to issue a proclamation, forbidding all who would not take the covenant to join their army, the royalist party had procured letters to be sent to

Charles disappointed in his expectations from the English.

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general Massey, who commanded the advanced guard, ordering him to suppress its publication; which letters being intercepted, all confidence in the councils of the king was destroyed, and the assertions of the independents confirmed, that he was a man totally devoid of principle, or, as they termed it, "himself the centre of malignity." At Warrington bridge, the Scots had a skirmish with Lambert, who retired in disorder, and the royalists exulted in their already achieved triumph. But Leslie, who had never been sanguine in the enterprise, could not conceal from Charles his melancholy presages of a more dreadful issue.* Their enemies were fast closing around them, and the march to the capital was given up in despair. Reduced, by distress and desertion, to between fourteen and sixteen thousand men, the worn-out troops demanded repose; and Worcester presented itself, where they might halt and refresh, while Massey proceeded to Gloucester, in the expectation of rousing and collecting his former adherents. Thither they proceeded, and immediately began to repair and add to the fortifications; but Lambert, Harrison, and Fleetwood, together with the militia, already outnumbered and hemmed them in, and the only re-enforcement they received, was the earl of Derby and thirty men, the remains of fourteen hundred, who had been met and dispersed by colonel Lilburn.

His progress.

Enters Worcester.

LXXI. The young king, among whose qualifications personal courage never seems to have been conspicuous, when Derby arrived with the news of his defeat, was disposed to carry off the horse, and provide for his own safety, by a hasty retreat; but the foot mutinied, protesting their cavalry should not desert them, that since they must suffer, they should all fare alike. Had his majesty, however, even prevailed upon the cavalry to make the dastardly and treacherous attempt, all the avenues of escape were shut up;—Cromwell had arrived with his veterans, and the royal army was completely environed. Some slight affairs of posts took place on the first and second of September, in endeavouring to repair the bridges over the Severn the Scots had broken down; but the third, the anniversary of

Surrounded by the English.

* Clarendon.

the battle of Dunbar, was appointed for the general assault. Early on the morning of that day, lieutenant-general Fleetwood, who had passed to the south-west side of the river, marched upon Powick, a strong pass in possession of the Scots, to commence the attack in that quarter; by some hinderance he did not arrive, till between two and three in the afternoon, by which time, the Scots, apprized of his approach, had drawn out a considerable force, and lined the hedges, with which the ground everywhere was intersected. The reception he met was so warm, that Cromwell himself was obliged to advance to his support—over a bridge of boats, which he had constructed at that point—with a considerable number of his best troops, and every hedge and ditch was obstinately contested. Unable to contend with an accumulating host, the Scots were at last forced into the town; but rallying within, they rushed out with their whole force at the opposite side, in hopes of being able to overpower the portion of the English army which had been left there, before the others could recross and come up to their assistance. Here the battle raged with alternate success for three hours, and the Scots had the advantage of the well-fought day, when the arrival of fresh troops snatched from their hands the transient success their desperate valour had won; they retired from the hedges to their unfinished intrenchments, nor did they surrender an inch of ground without a struggle; but the superior discipline and overwhelming numbers of their opponents prevailed. Fort Royal was stormed, their other works carried, and they fled in confusion again to the town, their own cannon playing upon them. The battle had lasted five hours; yet the confused noise of the victors and vanquished entering Worcester together, first informed the monarch for whose crown they were contending, that there had been an engagement! Roused from his slumbers—for he had gone to sleep—Charles rushed into the street, and called upon his flying troopers to rally; but finding them deaf to his remonstrances, he chose the second best alternative, and accompanied the fugitives.

Battle of Worcester

Completely defeated.

He escapes.

LXXII. This terrible conflict, the stiffest, as Cromwell repeatedly affirms, he ever witnessed, was decisive:—two thousand were slain; six or seven thousand were made prisoners

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in the town, besides those afterwards taken. Among these were the duke of Hamilton, who died of his wounds next day; the earl of Lauderdale, who survived a long confinement in the Tower to be the scourge and the curse of his country; eleven other noblemen, and upwards of one hundred and forty persons of distinction. The royal standard, and one hundred and fifty-eight colours, with the whole baggage, the king's coach and horses, his robes of state, and the collars of his orders, were the prize of the victors. Since the battle of Flodden, never had Scotland known so foul a defeat; but that had inflicted no such extensive misery:—the common soldiery who there escaped the slaughter of the day, returned to their homes; but here the miserable tenantry who had been dragged into the field, were either doomed to die in over-crowded prisons, or transported to foreign slavery in the plantations.

Result of the battle.

LXXIII. Charles' romantic escape after the battle, has made his historians pass lightly over his absence during the heat of the engagement; and the sufferings of the royal wanderer have been allowed to atone for his doubtful courage. As they are the only portion of his life that do not merit almost unqualified censure, it would be unfair to omit them. When he had got at a considerable distance from the city, afraid of the danger of being in so great a crowd, he withdrew during the darkness of the night with two servants, whom he also dismissed about daybreak, after having made them cut off his hair; he then entered a wood, where he rested beneath a wide spreading oak, whose boughs were entirely covered with foliage. Captain Careless, who had spent the night in the branches, descried the royal fugitive, and descending, invited him to take up his abode along with him in the heart of the tree, during the day, as it was probable the forest would be searched when it was light, and there was a chance of their remaining undiscovered, as the leaves were so thick; then helping the king to get up, he himself followed, and they two remained secure among its umbrage. As Careless had imagined, numerous parties of soldiers entered the wood next day, many of whom they saw, and some they heard beneath the covert of their hiding-place, discoursing of how they would treat his majesty if they only could catch hold of

Particulars of Charles' escape.

him. Night released them from their eerie; and the king, weary with watching, and faint with hunger, having fasted two days, was conducted by his companion to a woodman's cottage, whose owner, without knowing his quality, afforded him lodging in a barn, where he lay covered with hay, and brought him a piece of coarse bread and some buttermilk, on which he afterwards said he made the most delicious meal he had ever done in his life. Afraid of leading to a discovery, Careless left him here, whence, after resting two days, he proceeded, disguised in his landlord's clothes, and under a new guide, to another equally mean dwelling, where his bedchamber was again a barn, and the royal banquet porridge and cheese. His march had been dreadful, through hedges, ditches, and brushwood, on his bare soles;—for the woodman's shoes were so intolerably painful that he was obliged to throw them away—and the thorns terribly lacerated his feet and legs. Frequently, in despair, he threw himself on the ground, with the desperate resolution of resting there till morning, at whatever hazard; and but for the spirit, strength, and exertions of the countryman, who dragged him along, would have sullenly resigned himself to his fate. For some time he was led from place to place to avoid his pursuers, but without any certain plan for escape; only he remarked that he was never carried to any gentleman's house, but always lodged in wretched hovels, where his sustenance was coarse, unpleasant, and unpalatable, till he was taken under the guidance of Huddleston, a benedictine monk, who officiated among the Roman catholics in that quarter, and was sent to him by Careless. This *religious* conducted him to the houses of the chief people of that persuasion; who, being generally attached to the royal cause, and themselves and their priests liable to apprehension, had secret lurking holes, in which the wandering monarch frequently found more comfortable rest and refreshment, than in the rude habitations among which he had been lately. 1651.

LXXIV. The long continuance of the civil wars was productive of this advantage, that men's character were distinctly known, and each party could pretty accurately point out who were worthy of trust: Charles, therefore, was never under the necessity of seeking shelter in any house of sus-

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picious or untried fidelity; yet he frequently encountered considerable risk, and experienced some remarkable escapes, more remarkable from the high reward offered for his apprehension. In the neighbourhood of Bristol, at Mr. Lane's house, he was recognised by the butler, but he kept the secret. At Lyme, a vessel was engaged to carry him to the opposite coast; but the master not having intrusted the secret to his wife, the lady, whose suspicions had been aroused by observing that something was going forward, and enraged at being kept in the dark, on the night when her husband was preparing for his departure, put her back to the door, and swore he should not move till he told her where he was going; or if he ventured to cross the threshold, she would go to the mayor, and have him taken up and examined as to who were his passengers. While the king was waiting at the inn for the captain, who did not come at the appointed hour, a smith observed that his horse's shoes were made in the north, and the suspicious intelligence being communicated to a preacher, he instantly exclaimed, the stranger is Charles Stuart, and all were on the alert to obtain the prize; but his majesty had been alarmed at the shipmaster not keeping his time, and, by a precipitate flight, was out of the reach of harm ere the smith's knowledge, or the preacher's suspicion had roused the country. Going to Salisbury, on horseback, with a sister of colonel Windham's behind him, he rode through the midst of a regiment of horse, and passed Desborough walking down a hill with some of his officers, without being discovered. At last a vessel was procured at a small fishing town in Sussex, in which he embarked, and landed safely next day near Rouen, in Normandy, in the month of November.

He lands in Normandy.

LXXV. Drained of troops, by the ill-advised, ill-fated expedition, Scotland presented no obstacles to the progress of the republicans, except a few towns, poorly fortified, and worse garrisoned. Stirling, which alone promised to make some appearance of resistance, surrendered to Monk almost without a shot; the highlanders who were left to defend it, gladly accepting, as the price of the fortress, permission to retire unmolested to their homes, with the goods of their more

Monk takes Stirling,

wealthy neighbours, which had been lodged within it for safety.* Dundee, to which the mint had been removed, contained the riches of the surrounding country. It was repeatedly summoned to surrender, but refusing, it was, owing to the intoxication of the soldiery and townsmen, taken by storm, on the first of September; the garrison was put to the sword, the town delivered up to pillage, and the inhabitants, without distinction of age or sex, to massacre or dishonour. The spoil was estimated at more than two millions and a half. The brave governor, sir Robert Lumsden, was killed in cold blood, by order of the base and inhuman Monk, after he had quarter given; and the ministers, although they had advised the surrender of the place, were insulted,† and sent prisoners to England, along with a number of the committee of estates, who had been seized at Alyth, where they met two days before, to concert measures for the defence of the country. Calculating upon Dundee making a vigorous resistance, the lord chancellor, the earl of Leven, lords Ogilvy, Crawford, Lindsay, and a number of other noblemen, had resolved to attempt its relief, but colonel Allured surprised them at their place of rendezvous, and dispersed their levies. "They were betrayed," says the genealogist of the house of Sutherland, "by William Buchan, general scoutmaster of the Scottish army, who conveyed and led the Eng-

Dundee, which he sacks.

Forces raised to relieve it dispersed.

* Mr. Laing says, the records of the kingdom, which had been preserved on the surrender of Edinburgh castle, were retaken at Stirling, and were unnecessarily transported by Monk to the Tower of London. I apprehend the records which were found in Stirling castle, were only those records of parliament, which had been carried to Perth, and afterwards to Stirling. The records which were in Edinburgh castle at the time of its surrender, were taken by an English frigate, between Leith and Burntisland, and sent to London direct. Lamont's Diary, March, 1651. The parliament which met at Perth, instructed the clerk register to remonstrate with Cromwell upon the subject, which he did, both by letter, and personally. Balfour, vol. iv. p. 266. Acts of parliament, vol. vi. p. 586. And afterwards, when Cromwell was protector, a number of the principal public registers were restored, 1657. The rest were lost, amounting to eighty-five hogsheads full, after the restoration, in their passage by sea, during the winter season.

† "Their ministers wer verey auerse from holding out the tonne, bot wold haue it rendered," "notwithstanding, the collericke merceylesse commander, wold not heire them speake one word in their owen deffence, bot in a rage, commandit Mr. Jo. Robertson, not to speake one word, which, if he presumed to doe, he would scobe his mouthe." Balfour, vol. iv. p. 316.

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1651.

lish thither, by a secret and quiet way."* Those who escaped of the committee met after, at Inverury, where Huntly was chosen preses, and it was proposed to create him captain-general; but the sudden advance of the enemy broke up that assembly, when all retired north of the Spey, except Huntly and Balcarras, who, in the month of September, submitted to the English.† The bloody execution done upon Dundee, terrified the other towns into submission; and the insignificant army which Cromwell had left with Monk was found sufficient to complete the subjugation of a country, which the more terrible array of the most powerful of the English monarchs had been unable to conquer. The English general secured the advantages he had gained, by placing garrisons in the chief towns in the kingdom.

Monk's proceedings in the north;

he places English garrisons in the principal towns;

LXXVI. Argyle, when he perceived that all was lost, sent a proposal to Monk, for sparing the farther effusion of blood, and entering into a treaty; but received for answer, that no correspondence could be entered into, without the direction of the parliament.‡ Almost all the other Scottish chiefs were ruined, dead, or in exile. Of two dukes of Hamilton, one had perished on the scaffold, and one upon the field. Their large possessions were forfeited, part bestowed upon the conquerors, and the rest scarcely adequate to meet the demands upon it; leaving the representative of that ancient family, a girl, heretrix only of the shadow of a mighty name. The earls of Lauderdale, Leven, Crawford, and Marischall, Rothes, Eglinton and his family, were prisoners in England; their possessions sequestrated, and gifted to English officers. Lennox, Loudon, and Douglas, were in retirement. Overwhelmed with debt, and deprived of influence, Warriston had retired from public life; and associating only with the remonstrants, refused to join in any measures with the marquis.

refuses Argyle's offers to treat.

Distressed state of the nobility.

LXXVII. So low were the nobility reduced, and so totally was the spirit of the people depressed, that when the marquis invited a convention of estates to meet at Inverary, to

* Gordon's Genealog. Hist. p. 560.

† Lamont's Diary, p. 42. Milton's Political Papers, p. 79. Whitelock p. 493.

‡ Balfour, vol. iv. p. 316-17.

:onsider of resistance, or of terms to ask of the victors, he :ould find none to second him in the dark hour of his coun- :ry's distress. He, however, commanded respect, and inspir- :d the conquerors with moderation, by showing that despair might even yet render the vanquished formidable. He had fortified some of the highland strengths, and gathered his clan, nor were the English soldiers very anxious to prosecute the war among the mountains; their letters were filled at this time with sad pictures of the poverty of the country, the men and women of which, they represented as demi-savages, with "pladdes about their middle," inhabiting houses constructed of earth and turf, over whose roofs the horsemen were apt to ride, when they chanced to be careless; where nothing could be purchased for money; and where, in the month of July, they were scorched with heat, although the snow was still lying on the hills: the natives speaking an unknown tongue, were every-where hostile, and rendered it unsafe for stragglers to leave the garrisons, nor although venison was plenty, durst they hunt it but in detachments.*

1651. Argyle's ineffectual attempts to inspire resistance.

LXXVIII. After the surrender of Dumbarton, Argyle still efused, in a conference with major-general Dean, and some f the other English commissioners, to submit to the Engsh commonwealth, and prepared for resistance, although ry unequal to the contest. In consequence, his country s entered by several regiments of horse and foot; but it d been already so wasted, that its poverty was its protec-, and the want of supplies from England, obliged the jor-general, who was approaching through Lochaber, to ace his steps. But returning afterwards unexpectedly ea, from Ayr, Dean surprised the marquis at Inverary, re he was confined by sickness to the castle, and while ept him prisoner in his own house, extorted from him a tant submission. He had however, the melancholy ur of being the last man of any note in the country ielded to the pressure of the times, and acknowledged sistless supremacy of Cromwell. An incident marked pect in which this nobleman was held by his vassals.

His possessions wasted.

He reluctantly submits to the English.

* Whitelock, p. 514, 519.

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1651. Affection of his vassals.

The highlanders, who imagined their chief had not been treated with the respect due to his rank, assembled in considerable numbers, in one of the passes through which the English had to defile; and, from the inaccessible rocks on which they were stationed, threatened to overwhelm the intruders, until satisfied that they had not carried him as a prisoner along with them. Others seized the castle of Tarbet, on the same pretext, during the absence of the greater part of the garrison, who had gone a nutting, from which they took ten barrels of gunpowder, five thousand weight of cheese, and twenty-six bags of biscuit: for this, however, they afterward made an apology to the major-general, who, politically, accepted it, and not being too rigid in requiring restitution, his forces were treated with more kindness in that district, and their officers entertained at the expense of Argyle; whose interest demanded that he should use them with hospitality, when further hostility would only have aggravated his irremediable ruin.*

Remonstrants propose peace;

LXXIX. Meanwhile the remonstrants who uniformly opposed, and who still dreaded the episcopalian and royal power united, even more than they did the sectaries, now, when all the mischiefs which they had so clearly foreseen from the moment that the king was invited to return, were actually befallen the nation, endeavoured to procure terms similar to what Cromwell had offered after the battle of Dunbar.† But the English parliament had resolved if possible, to prevent in future any annoyance from Scotland, by reducing it to the state of a conquered province, under the more palatable name of an incorporating union; and commis-

the English an incorporating union,

* Whitelock, 503—6. Argyle's speech on his trial. Wodrow, App. vol. i.

† Immediately upon the news of the defeat at Worcester, a day of humiliation was kept, by a number of ministers at Edinburgh, to implore the mercy of God upon the wretched state of the country, and to confess their sin, in their too much compliance with their king; and afterwards they met together, to consult, as to what measures were to be pursued in treating with England; but their own unhappy divisions prevented their coming to any conclusion. A committee, at the head of which was lord Warriston, sate also about the same time, to consider privately, respecting the conditions of submission, to be proposed to the victorious parliament; they were willing to waive the question of monarchical government, to reduce the feudal influence of the aristocracy, and to abolish the exorbitant power of the ministers in political matters. Nicol's Papers, p. 79. Whitelock, p. 489.

sioners were immediately despatched to settle the affairs of the kingdom, and prepare for the accomplishment of so desirable an event.* They found on their arrival Scotland in a state of complete anarchy; the course of justice suspended, the cities without magistrates or the magistrates without power, the country rent into political, and the church into both religious and political divisions, yet all averse to a union by which the independence of the nation would be annihilated. The ministers deprecated it as a surrender of the rights of Christ to submit to political authority in ecclesiastical matters; and the shires and the burghs saw in the loss of their parliament the destruction of their importance, and the loss of their liberty; besides, throughout the whole land there was a strong feeling of respect for monarchical government, however different their sentiments were with regard to the present king. Their aversion to the measure was displayed by the tardiness with which the counties and towns proceeded to choose delegates to meet with the commissioners; nor was it without threats, promises, and force, that about a third of the number who had been summoned, could be induced to attend, and vote in favour of the proposal.† A bill was however in conse-

The country averse to it.

Its progress.

* The commissioners were lord chief justice, St. John, sir Henry Vane, junr., major-general Lambert, major-general Dean, lieutenant-general Monk, colonel Fenwick, Alderman Tichburn, and major Solloway. They were instructed to settle the peace of the country, not upon the principles of equality between independent governments, but upon the fallacious principles, which of late years, we have seen revive and perish, that of treating with the people without any reference to their government.

† The Ministers.—The English general had already forbidden any covenant or oath being imposed by the kirkmen, without the authority of the English parliament; or any civil officer to molest the persons or estates of the excommunicated, or prevent others from trading and using the common intercourse of life with them: the ministers conceiving this an intrusion upon their ecclesiastical rights, had taken the alarm, and drawn up a letter for Cromwell, expecting that he would have had the sole direction of Scottish affairs, in which they deprecated "an incorporating union with England, as what would draw on a subordination of the church to the state in the things of Christ, introduce magistrates of principles contrary to the church, and tolerate the gathering of private churches and the preaching of troopers." Cromwell not returning, Warriston presented the letter to Lambert, who laid it before the commissioners. They felt neither the same horror at toleration nor at lay-preaching; but were willing to maintain the established form of

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1652. In the English parliament.

quence brought into the English parliament for the union of Scotland with the commonwealth and committed; but the forcible dissolution of that renowned assembly prevented the completion of that work, as a regular transaction between the two kingdoms.

church government, so long as it did not intermeddle with politics, nor urge its own exclusive protection: and in reply, they issued a declaration, "That, for promoting of holiness, and the power of godliness, all care should be used for publishing the gospel of Christ in all parts of the land, and for the maintenance of the faithful dispensers thereof; and care taken for removing of scandalous persons in the work of the ministry, and placing others, fitly qualified with gifts for instructing the people, in their stead; and encouragement be given from all authority to such as shall join in the service of God, according to the usage of the church of Scotland, in their peaceable and inoffensive exercise of the same: and others not satisfied with that form, shall serve and worship God in any other gospel-way. That all magistrates who lived peaceably, and exercised their functions as terrors only to evil-doers, should be protected by them; and that all merchants, tradesmen, and craftsmen, possessing estates not above L.500, and all others under L.200, soldiers and moss-troopers excepted, should be freed from all forfeitures, molestation, or trouble, for any thing they had done during the war." The remonstrants, in their aversion to prelacy, the restoration of which they justly considered as inseparable from the restoration of Charles, were less opposed to an union with England, which secured them from the danger of a persecuting hierarchy, than the resolutionists; who either believed, or affected to believe, in the sincerity of the king's converson to the covenant, and continued to offer up prayers for his safety, as their lawful king. This added another to the almost interminable divisions in the country; some presbyterians refusing to allow the declaration to be read in the pulpits, and others expressing their approbation of the proposed union.

THE SHIRES.—Previously to the arrival of the commissioners from England, the gentlemen of Fife met, and prepared letters and commissioners, to be sent to every county, inviting deputies to attend their arrival, and make proposals; but the parliament of England ordered the council of state to take care that no meeting should be suffered in Scotland, under any pretence of consulting upon matters of government.

THE BURGHS.—The capital and some of the principal towns were without magistrates, because no one would venture, without authority, to exercise an office, by which he might be made liable for the debt of the community, and ultimately refused any legal resource. A committee of the citizens of Edinburgh, consisting of three merchants and three tradesmen, immediately upon the arrival of the commissioners, waited upon them at Dalkeith, to invite them to the city, and solicit them for a restitution of their magistracy. A protection was granted to the city, and a new charter for the election of magistrates. The power of election appears to have been, by this deed (the original of which is now lost,) left undecided between the council and the whole body of the citizens, but "at the meeting of the neighbours:" it would seem the said neighbours devolved this task on the former council, whilst

cxx. But when Cromwell seized the reins, in "the instru- t of government," constituting the empire a protectorate, incorporating union of Scotland with England was de- ed; only the number of representatives to be sent from section of the state, as well as the proportions for the ıties, cities, and burghs, was left to the determination of protector and major part of his council. Shortly after er was named by his officers, protector, he issued an or- nce for perfecting and completing that union. In it the ıle of Scotland were discharged from all fealty and alle- ce to the house of Stuart; and the separate monarchy cotland, together with the authority of the three estates, formally abolished; and the number of members to sit ıe united parliament for Scotland and the isles fixed at :y. The other provisions of this act were highly favour- to Scotland, and not less remarkable for their good sense ı their beneficial tendency; had they been carried into :t, they would have anticipated by a century the improve- t of the country. All customs and imposts upon the ort or import of goods from either country to the other e taken off, and both were to enjoy the same privileges freedom throughout the whole territories of the com- ıwealth. The system of feudal vassalage and servitude erto exercised in Scotland, by which estates were held er tenures of personal service, was done away; and all tors, proprietors, or possessors of lands, were freed from other demand upon them than the fines due upon the th of the lords, or the death or alienation of the tenant, these in no case to exceed one year's value of the pro- ty; all hereditary territorial jurisdiction of the chiefs was he same time suppressed. But few Scottishmen of rank e ever returned to any of Cromwell's parliaments; the jority consisted of English officers, or persons in the em- yment of government.

Cromwell orders it to be com- pleted.

Its terms advantage- ous to Scotland.

empowered to nominate the new one—a precedent, the authority of which outlived these turbulent times. Dundee, upon a similar application, re- ed a similar return. But these favours appear to have been coupled with quisition, that the new magistrates should choose deputies for arranging the osed union. Maitland's Hist. of Edin. p. 91. Lamont's Diary. White. ut supra.

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LXXXI. "Of a long time," says Baillie, "no man in the whole isle did mute; the episcopalians bent to the storm; and when it was perilous to contend for the church or king, they left them both to that divine protection which they claimed by right, and were content themselves to repose under a more visible, and what they deemed more secure, albeit they styled it an execrable authority. The presbyterians yielded only to necessity, and never surrendered their religious or political principles, even when they submitted to physical force; and to them alone, in the day of his deepest distress, could the fugitive Charles look for any glimmering of hope; but they were split into factions, whose different religious views, augmented by their political antipathies, prevented them from uniting in any scheme for the recall of the king. When the general assembly, which met at St. Andrews approved of the resolutions of the commission respecting malignants, the remonstrants refused to acknowledge the authority of that assembly, and protested against it as pre-limited. The assembly, in return, deposed three of the leading ministers, and suspended one; but the protesters, as they were now called, remained firm, and renewed their opposition in the next assembly, though with as little success; and their party, increased in number, were prepared for a still farther trial of strength, when Cromwell effectually prevented the meeting of any more assemblies. This dispute was not, however, a mere contest respecting the propriety of a measure which the protesters considered as having involved both cause and country in ruin; it involved also the question, whether the nation was bound by the covenants to endeavour, even then, the recall of the king, and the promoting of religious uniformity, or whether they ought to accept of the toleration offered by the English commonwealth, employ themselves in the duties of their stations, and as the case of royalty seemed to be desperate, to avoid engaging in any attempts against a government which protected their civil rights, and did not encroach upon their religious liberty.* The dissen-

State of parties in Scotland.

Cromwell forbids the meeting of assemblies.

Real dispute among the parties.

* The presbyterians were merely forbid to hold general assemblies: their presbyteries and synods were not interrupted, nor were any of their religious meetings disturbed; only, they were not allowed to interfere in politics—how different from the days of the Stuarts!

isions upon this subject continued till the restoration, hen, as Wodrow remarks, "the whole honest presbyterian nisters were sent to the furnace to unite them;" but the count of them belongs properly to ecclesiastical story, and, t being immediately and necessarily connected with the litical, I omit them in this work, as possibly some of my aders may think I have already intermingled too much of e church with the civil history; but it was the fault of the nes; nor do I think an historian would present a faithful rtrait of that period, if the most prominent feature were itted in the picture.*

LXXXII. Two disastrous campaigns had despoiled Scotad of upwards of thirty thousand of her youth, the strength d the hope of the country; two considerable armies, which, der proper management, ought, at least, to have secured r safety, and preserved her independence, had been bron down and destroyed; and her remaining military popuion, disheartened and disjointed, was miserably thinned. Charles at- et, even in these circumstances, his advisers projected, and tempts to renew the harles encouraged, another attempt to rise and renew a war.

* Mr. Laing gives a caricature of the state of the church:—"The remonants," he says, "were inferior in numbers; but this defect was compensated more outrageous devotion and violence; a more fanatical worship began to rail; long and frequent extemporary sermons, of which the constant topic s the corruption of a regenerated church; [*Qy.*] more vehement and incesnt prayers; and a prophetical intonation, which it is impossible to describe. he settlement of a new minister was dishonoured by indecent tumults: the es were not unfrequently defiled with bloodshed; and the people were disured and dispersed by blows and wounds." Vol. iii. p. 499. The authoies on which he relies are Baillie, Whitelock, and Burnet. But Baillie, alough an honest man, and well-informed in what regards the proceedings of e resolutioners, is a partial and prejudiced witness respecting the remonstrants: or will his judgment of what constitutes good preaching stand very high, who ould characterise Leighton, Traill, and Andrew Gray's sermons, as composed a "a high, romancing, and unscriptural style; tickling the ear for the present, nd moving the affections of some, but leaving little or nought to the memory r understanding!" Whitelock is, as I before remarked, not to be implicitly rusted, wherever he can get a sneer at the Scots or the presbyterians; and Burnet is by no means accurate. For a true account of the religious state of Scotland, we must have recourse to the writings of the different parties themselves, compare their statements together, and weigh the different inferences hey severally draw from the same facts which both admit. That much aniosity existed there is no doubt; but that any such excesses as Mr. L. depicts ook place, does not appear upon the record.

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contest, in which so much of the best blood of the country had been so unprofitably spent; but the correspondence was intercepted, and Glencairn and Balcarras were forced into a premature insurrection, which their mutual ambition for command, and consequent dissensions would have rendered abortive, had their means been more powerful, or their opportunities more favourable than they were. In the month of August, one thousand six hundred and fifty-three, the earl of Glencairn retired to the hills of Athole, where a number of the heads of the clans met him—Glengarry, Lochiel, Blackadder of Tulliallan, and others, and soon after they were joined by lord Kenmore, and lord Lorn, who had been attracted by the imposing manners of Charles when in Scotland, and now preferred what he considered as his exiled monarch's interest to the more prudent and patriotic temporizing policy of his father. The war with Holland, in which the commonwealth was engaged, had occasioned Monk to be recalled to undertake a naval command; and reports were everywhere widely spread of the defeat of the English at sea, the great exertions the United Provinces were making to carry assistance to the king's friends in Scotland, and the powerful supplies of men, arms, and money, which had been procured among the favourers of distressed royalty abroad. These rumours, so diligently spread in the unsettled state of the country, together with exaggerated accounts of some trifling affairs: one, a successful skirmish in the romantic pass of Aberfoyle, where the path, running between the water and the mountain, afforded the highlanders an opportunity of defeating a superior force: and another at the celebrated Trossachs—since famous in poetic fiction—attracted round Glencairn considerable numbers of young men of family.

Insurrection of Glencairn and Balcarras.

LXXXIII. In a proclamation, headed by prophetical encouragement and exhortation,* the earl "called upon all

* His motto was, "In that day, saith the Lord, I will break his yoke from thy neck, and burst thy bands, and strangers shall no more serve themselves of him." "O! thou sword of the Lord, how long wilt thou, ere thou cease? turn again into thy scabbard, rest and be still. How can it cease, seeing the Lord hath given charge against Ashkelon, against the sea bank, even there hath he appointed." "Cursed be he that doeth the work of the Lord de-

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rue royalists who detested the monstrous republic, build- d with the bones, and cemented with the blood of their read sovereign, who loved presbytery and hated toleration, 'ho acknowledged obedience to their righteous king, as ıe father of their country and God's vicegerent upon earth, 'ho did not wish to degenerate from the spirits of their an- estors, who would never bend to a foreign yoke, Roman, 'ict, Dane, British, or Saxon, to join with his army, and ıeir brethren, the highlanders; whose praise it was that yalty and obedience to lawful magistrates could never be anished out of their hearts, whatever else might be alleged gainst them; nor would they admit easily of innovation in atters of religion, so that the most scrupulous might join ith them in this cause without hurting their conscience, parating only from their vices, if any should appear." His ll created considerable sensation in the districts lying ar the highlands. Almost all the serviceable horse were olen, and sent to the insurgents; and many dissatisfied, stless characters, or old disbanded soldiers, repaired to the ountains.*

Glencairn's proclamation.

Its effect.

tfully; and cursed be he that keepeth back his sword from blood." In aking of the grounds of the present engagement, he uses the following ex- ssions:—"As to religion, we do conceive it to be a main and chief bless- ; of God toward Scotland, that he vouchsafed upon us purity of ordi- nces, and established, in some measure, church government, according to ; apostolic institution and the pattern of the best reformed churches: but s being the eye-sore and butt of malice to that prevailing party of secta- s, they have broken down the hedge, and setting up their idol of toleration, at abomination of desolation, hath introduced innumerable swarms of sects d heresies; so defacing the truth of religion, and destroying the tender ıe planted by the right hand of the Most High, to the reproach of the gos- l, the endangering the souls of many thousands, simple and unstable; the ndrance of reformation according to the covenant, and the advantage and s rejoicing of the enemies of the protestant religion; which we are deeply gaged to maintain, with our lives and fortunes, to the uttermost of our wer." Thurloe, vol. i. p. 210. Yet this very man, and the greater part of se who joined him, within a few short years, burned the covenants, per- cuted to death its adherents, and stigmatized, as hypocrites and fanatics, all ho—staunch to their profession—preferred suffering to an abandonment of inciple!

* Kenmore is represented as being an excellent recruiting officer in another ıe:—"He marcheth with a runlet of strong waters, which they call *Ken- ore's Drum.*" "Kenmore rambles up and down the country with his bar-

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LXXXIV. Increasing as he went, Glencairn marched north, in expectation of being joined by the vassals of the house of Gordon. On his route he had some rencounters of varied success with general Morgan, at a glen in Braemar, and a pass near the laird of Grant's country, but reached Badenoch, about the end of the year, with a considerable force. Thence he despatched Kenmore to Kintyre, where Lorn had been recruiting; who, after quarrelling with his lordship for his tenderness to his father's tenants, returned discontented to head-quarters, followed by Lorn with about a thousand foot and fifty horse. When he arrived, all was insubordination and confusion; Balcarras refused to submit to Glencairn's command, and insisted that the army should be managed by a committee, to which none should be admitted who did not swear the solemn league and covenant. At length, when the king's commission, appointing Glencairn, captain-general, was produced, all ostensible opposition was quashed; but the silent discontent of the disappointed chieftains increased, and they contrived to have their complaints conveyed to his majesty. This correspondence being discovered, Balcarras retired from the party, and passing through England in disguise, joined Charles on the continent. Lorn likewise withdrew, and carrying off his troops, Glengarry and Lochiel were despatched with a strong body of horse after him, to force him to return. He escaped however, with a few mounted followers, and the remainder of his soldiers, after apparently joining their pursuers, took the first opportunity of deserting to their chief, or returning to their homes.

Dissensions among the chiefs.

Glencairn appointed captain-general.

Deserted by Balcarras and Lorn.

LXXXV. Nearly about the same time, colonel Wogan arrived from England, and joined Glencairn with from eighty to a hundred gentlemen, well armed and mounted. This gallant cavalier—whose dashing exploit has been greatly magnified beyond either its worth, or its merit, by the ultra-royalists, who were content to admire, rather than emulate such daring—at the commencement of the war, was an adhe-

Joined by Wogan from England.

rel-drum of aqua vitæ: their numbers are augmented by desperate people, sequestrate, sequestrable, or much in debt." App. to Military Memoirs of the Great Civil War, pp. 209-12.

rent of the parliament, but the death of the first Charles proselyted him to royalty. He was then promoted to command the duke of Ormond's guard in Ireland, and came with him to France, to the court of the exiled king: but having there heard of the disturbances in the highlands, he determined to join the insurgents. In opposition to the advice of his majesty, he set out for London, where he remained for a while undiscovered; and after communicating with some of the most spirited royalist adventurers throughout the country, the band contrived to elude the vigilance of Cromwell; and travelling in small parties, in disguise, and as officers of the commonwealth, reached the mountains of Scotland in safety. Instead of an effective, he found a disorganized body of men, whose leaders were more intent upon personal aggrandizement than the service of him they acknowledged as sovereign. But the fine accoutrements of his troop were the envy of his ragged associates, while the enthusiastic enterprise, of which he was the soul, excited their admiration; and he perished—perhaps not prematurely for his fame—through the unskilful treatment of an ignorant surgeon. He had charged with his English royalists, from an ambuscade near Drummond in Athole, a party of English republicans, and staggered a troop of the brazen-wall regiment, one of Oliver's invincibles, when he received a trifling wound, which, through mismanagement, proved fatal.

Wogan's death.

LXXXVI. Although the disputes among the chiefs paralyzed the exertions of the insurgents, yet the daily accession of all who were discontented with the new order of things, who were outlawed, desperate, or in debt, rendered the army under Glencairn far from being despicable in point of numbers; and, in expectation of meeting the expected supplies from the continent, he marched without molestation through the lowlands of Aberdeenshire for the province of Moray, where he fixed his head-quarters at Elgin. Learning while here, that Middleton, from Charles, had arrived in Sutherland, he proceeded through Morayshire to receive him, burning as he went, the houses and farm-yards of those who were either dubious, or disinclined to the cause. Morgan with the English veterans kept close at his heels, and occasioned by his activity considerable diminution in his numbers

Glencairn proceeds north.

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ere he reached Dornoch; yet still, under able, enterprising, and united officers, the mountains might have been defended, and the extinction of the royal cause delayed;—but discord seemed to be inseparable from any collection of Scottishmen of that age, sacred, civil, or military.

Resigns the command to Middleton.

LXXXVII. Hardly had Middleton entered on his command, than this propensity betrayed itself among the royalist leaders, in a very characteristic manner. On Glencairn's resigning his commission, Middleton gave him and the other officers an entertainment at head-quarters, which his lordship returned by a feast at his own house, at Kettle, a few miles distant from Dornoch. After dinner, the landlord pledged their new general in a glass of wine, and recommended to his particular notice the gallant army that he and the noble gentlemen with him had raised out of nothing for his majesty's service. Immediately, sir George Monroe, Middleton's lieutenant-general, starting to his feet, and interrupting Glencairn, exclaimed, "By God, the men you speak of are no other than a pack of thieves and robbers: in a short time I will show you other sort of men!" at which, Glengarry rose in a passion, but Glencairn stopped him, saying, "Forbear, Glengarry, it is I that am levelled at:" then directing himself to Monroe, told him he was a base liar, for they were neither thieves nor rogues, but much better men than he could raise. At this, Middleton interposed, and told them he did not think that the way to promote the king's service to quarrel among themselves. "I will," said he, "have you both to be friends;" and calling for wine, said, "My lord Glencairn, I think you did the greatest wrong, in calling sir George a liar; you shall drink to him, and he shall pledge you." Glencairn immediately complied, but Monroe haughtily refused either to drink or to pledge; and in this humour they parted. In the evening, the earl received a challenge from sir George, and at dawn next morning—Sunday—the parties met a short way from Dornoch, Monroe accompanied by his brother, Glencairn attended by his trumpeter. They were both on horseback, armed with pistols and broadswords. Having fired without effect, they drew, and after a few passes, Glencairn gave his opponent a severe cut on the bridlehand, on which, he call-

His duel with Monroe.

ed out he was unable to manage his horse, and hoped the earl would alight and fight it out on foot. "Ye carle," replied Glencairn, "I will let you know I am a match for you, either on foot or on horseback; and both alighting at the first beat, my lord gave him a sore stroke on the brow, above an inch above his eyes, which bled so much that he could not see. His lordship was going to thrust him through the body, but John White, his man, pushed up his sword, and said, "you have enough of him, my lord." His lordship in a passion gave John a stroke over the shoulders, and then took his horse and came to his quarters. Monroe and his brother went to the head-quarters, but with much ado, for the bleeding at the head and hand.* This duel was followed by a more fatal one between two inferior officers, who espoused the quarrel of their superiors, in which Monroe's champion was run through the body by his opponent, and died on the spot. The murderer being seized, was tried by a council of war, and shot at Dornoch cross that same afternoon, in spite of all Glencairn's endeavours to save him; and in consequence, his lordship separated from the main army in disgust.

He leaves the army,

LXXVIII. Such an inauspicious commencement had exactly the termination that might have been expected. The valuable time when the attention of Cromwell was distracted by the internal state of England and the Dutch war, was allowed to pass away without any vigorous exertion; and now when England was settled, the Dutch war ended, and the rest of Scotland tranquil, the protector despatched Monk to reduce finally the discordant fragments of resistance that the hills and the north of Scotland continued to exhibit. As soon as he arrived, Monk collected a considerable force, and marched for Aberdeen, whence he proceeded in two divisions towards the highlands in pursuit of Middleton; Morgan leading the one, and himself the other. At Lochgarrie, Morgan came up with the royalists unexpectedly, and attacked them briskly; a gallant resistance was made by a few English gentlemen, the rest fled at the first onset; and night approaching, they dispersed among the hills,

which is completely dispersed by Monk.

* Account of Glencairn's Exped. p. 178.

BOOK XIV.

and were never again collected. A few followed the general into Caithness, where starvation completed the work of the sword. Middleton's baggage and papers were taken, but he himself escaped to the continent, to return afterwards to his country in a more mischievous character.

1654. Middleton escapes.

Glencairn proceeds to the west.

LXXXIX. Glencairn, upon leaving the north went westward, and roamed about Lennox with a small body of volunteers, who distinguished themselves in several petty skirmishes; one of which, is said to have rendered their conditions of surrender more favourable, from the respect with which their boldness had inspired the enemy. The treaty had at one time been broken off, when his lordship hearing that there was a party of cavalry quartered at Dunbarton, ordered two hundred of the best mounted horsemen he had, under the command of sir George Maxwell of Newark, to pass the Leven at a ford, within four miles of the town, and endeavour to surprise them. No sooner had sir George crossed the river, than setting off at full gallop, they entered the place about one o'clock while the enemy were quietly at dinner, and dispersed the party, killing about thirty, and making a few prisoners, besides obtaining all the horses and two hundred bolls of corn. There was, however, no rational prospect of advantage from protracting a petty predatory warfare; and on the fourth day of September, one thousand six hundred and fifty-four, a treaty was concluded with this small band; the conditions of which were, that all the officers and soldiers should be secured in their lives and fortunes, and should have passes to carry them to their respective homes. The officers were allowed their horses and arms,—to wear their swords always; the soldiers were also allowed their horses, but were required to deliver up their arms, for which, however, they were to receive full value, the value to be fixed by persons mutually chosen, two by Glencairn, and two by Monk; and the conditions were honourably fulfilled on the green below the castle, where two tables were placed, at which the soldiers delivered up their arms, and received their passes and their money.

Makes peace with Monk.

XC. From the time of this pacification till the restoration, Scotland enjoyed a state of internal tranquillity which the country had never before known; nor was it so much

1655-8. Peaceful state of Scotland.

the gloomy quietude of a subjugated people, as the rest of a state, which after having been torn by contending factions, and harassed by alternate proscriptions, finds repose under the sway of a ruler, whose talents have exalted him to pre-eminence, and the splendour of whose fame reconciles them to obedience; while the anarchy from which they have escaped, makes them rejoice in the vigour of a government that ensures individual security, without reverting too eagerly to the source from whence it sprung, or the means by which it is supported. Cromwell's government in Scotland —which all parties concur in praising—receives a deep relief from the wretched, wavering, and tormenting despotism of her two native kings who preceded, and from the dark, capricious, and bloody tyranny of their two descendants who followed the protectorate.

Civil administration of the government.

XCI. The civil administration was intrusted to a council of state composed of nine—general Monk, lords Broghill, Charles Howard, colonels Scroope, Desborough, N. Whethen, and Cooper: lord Broghill was president; but only two Scottishmen, Lockhart and Swinton, were admitted.* Their powers were extensive, reaching to every department of revenue; they had the nomination of all the officers of customs, excise, and sequestrations, with the appointment of inferior judges and justices of the peace: their sanction, likewise, was necessary to entitle the ministers to draw their stipends, a kind of patronage which the dissatisfied party never failed to stigmatize as erastian. The police of the country was committed to the military, whose deportment was remarkable for sobriety, gravity, and general peaceableness, although some of them occasionally annoyed the presbyterian congregations, by voluntarily choosing the stool of repentance as their seat when they attended sermon, and sometimes entering into public disputations with the preacher.

Causes of Scotland's happiness.

XCII. Among the causes which contributed to render these few years the happiest Scotland had enjoyed for centuries, were:—

* The Great Seal of Scotland, during the protectorate, was a figure of Cromwell on horseback, with the motto, "Oliverius Dei Gratia Reip. Angliæ, Scotiæ, et Hiberniæ, Protector:" on the reverse, the arms of Scotland; and under, "Pax quæritur bello."

BOOK XIV.

1655–8.

THE TOTAL ABSENCE OF RELIGIOUS PERSECUTION.—The kirk was deprived of the power of inflicting civil penalties, or, what is nearly similar, the magistrates were forbid to enforce the civil penalties annexed to ecclesiastical censures; and the ministers, having no longer the secular arm to appeal to, applied themselves more to the instruction of their people, and to their immediate and proper pastoral duties than to those political dissensions which had so much divided them. The dreaded toleration of sectaries, so far from hurting the presbyterian system, seems to have purified and invigorated it, by exciting the zeal and emulation of the ministers, who began to look upon the questions, which had of late divided them, as matters of inferior moment.* The synods and presbyteries were, however, allowed to meet unmolested; nor were the ministers otherwise disturbed than by being threatened with a deprivation of their salaries if they continued openly to pray for the restoration of Charles Stuart as king of Scotland: a moderate penalty compared with the infliction which some of them afterwards endured for praying for his conversion!

Absence of religious persecution.

THE IMPARTIAL ADMINISTRATION OF JUSTICE.—From an early period the Scottish bench had been proverbially notorious for its subservience to the ruling party, even in cases of private property; and the inferior judges were, besides, particularly liable to partiality, from family influence or attachment. To counteract this, English officers were appointed to the commissary and sheriff courts, whose decisions were guided by the dictates of plain common sense, unfettered by the technicalities of law: in consequence, their processes were always shorter, in general more equitable, and never, as sometimes happens even in our own day, ruinous to the gainer. In the higher court, four English and three Scottish judges were appointed, in order that a corrupt majority might be prevented, and at the same time, their proceedings be regulated according to law; but their decisions are rather marked by sound sense, than by the subtilties of legal discrimination, and were long remembered as the purest and most vigorous dispensation of justice which the

Impartial administration of justice.

* Kirkton's History of the Church of Scotland, p. 55, et. seq.

tion had enjoyed: nor did the foolish and mischievous persecution of old women, as witches, stain the records of the court during the whole of that period. It is, however, curious to remark, how abuses creep into public institutions, and how much more easy it is to get rid of real practical reformation, under the pretence of innovation, than to get rid of a real temporary and burdensome innovation, if lucrative, after its usefulness has expired. The use of voluminous, expensive, written memorials, which render Scottish suits so tedious, and which originated in the English judges' ignorance of Scottish law, and the refusal of the principal advocates to plead at their bar, has survived both the restoration and the revolution, which swept away many of their excellent regulations for economy and despatch,*—And lastly;—

THE ENCOURAGEMENT OF COMMERCE.—The Scottish nation, during the protectorate, not only enjoyed all the advantages of free intercourse with England, but bodies of enterprising English merchants were encouraged to form establishments in Scotland. Among other manufactories, glass-making was practised in the citadel of Leith. Tradition reports, that the art of knitting stockings, and the planting of kail, were introduced by the soldiers of Cromwell; but the better authenticated facts of the importations from England to supply the wants of the army, and the quantity of money spent by the soldiery, may be considered as among the fortunate circumstances which operated for the encouragement of trade. His men paid punctually whatever they purchased; and if the taxes imposed for their support were more than what would have been raised had they been absent, they were considerably under the money expended by them in the country: the number of troops varied from nine to twelve thousand.† Encouragement of commerce.

* Baillie, vol. ii. p. 395. Burnet, vol. i. p. 84. Laing, vol. iii. p. 498. Whitelock, p. 570. Thurloe, vol. iv. p. 250.

† The estimate of the monthly charge for the army in Scotland, dated July, one thousand six hundred and fifty four, amounted to L.41,235, 17s. 9d. The assessment laid upon Scotland was L.10,000 a month, but owing to the depressed state of the country, there could not be more than L.4000 collected, which left a balance to be remitted from England monthly, for the pay of the troops,

BOOK XIV.

1655–8. Character of Cromwell's government.

XCIII. But the breathing time which Scotland had enjoyed was drawing to a close. Cromwell—who, whatever may be thought of the means by which he attained power, had shown himself, in its exercise, every way worthy to reign—now found that successful ambition was but a worthless thing; and that to endeavour to render a people great and happy, is not always the certain road to ensure their gratitude:—to acquire their affection, it is often as necessary to humour their prejudices as to consult their interest. In his civil and domestic administration, he had displayed a regard to justice and clemency, which his enemies were constrained to admire. The chief offices of the courts of judicature were filled with men of integrity; and, amid the virulence of faction, the decrees of the judges were upright and impartial. His own court was under an exact discipline, and presented an example of domestic purity seldom seen in the palaces of kings.* No man was

of L.37,000. By the state of the public accompts, at the end of the same year, the army expenditure, including about L.23,000 of arrears, was L.504,935, 2s. 11½d, of which had been collected in Scotland only L.45,000. On the 25th December, a balance of L.60,415, 12s. 7½d. remained due, and the difference had been paid out of the assessments of England. Thurloe, vol. ii. p. 476. vol. iii. p. 43. But this being during the insurrection under Middleton, the sums were larger than afterward. The civil list for the same year, amounted to L.21,428. The council of state and officers, L.7791. Commissioners for customs and excise, with their officers, L.4660. The court of exchequer, L.1850. Supreme court, L.4680. Keepers of the great seal and signet, L.300. Court of admiralty, L.95. Ministers, L.480. Heriot's and a military hospital was also charged on the civil list, L.1572.

The amount of the inland excise farmed in the shires was L.4087 per month. The amount of customs and excise levied at the ports for the last three months of the year was L.2226, 15s. 10½d. Their proportions show the distribution of trade: Leith was L.674, 13s. 1½d. Borrowstowness, L.382, 0s. 4½d. Burntisland, L.125, 10s. Inverness, L.129, 17s 7½d. Glasgow, L.381, 3s. 1½d. Ayr, L.90. Dundee, L.243, 11s. 9d. Aberdeen, L.200.—Revenue for the year may be estimated at between L.56,000, and L.57,000. Thurloe, vol. iv. p. 527—530.

* The following description of the court of Charles II. is by Evelyn, a devoted royalist. "I can never forget the inexpressible luxury and profaneness, gaming, and all dissoluteness, and as it were total forgetfulness of God, in being Sunday, which this day se'enight I was witness of. The king sitting and toying with his concubines, Portsmouth, Cleveland, and Mazarine. A French boy singing love songs in that glorious gallery, while about seventy of the great courtiers, and other dissolute persons, were at basset round a large table; a bank of at least L.2000 in gold before them, upon which the gentlemen who were with me made reflections with astonishment." Mem. vol. i. 585. Jongestall, the Dutch ambassador, in a letter, 28th April, 1654, thus

ıturbed for his religious opinions while he behaved as a aceable subject; commerce flourished, and the arts of peace :re encouraged; the public revenue was managed with fru- lity, or expended upon truly public objects; the nation was ıred and respected abroad; and, while, his councils dic- :ed to France, his mandates awed at the same time the Va- an and the Escurial, relieved the Turkish captive and the rsecuted protestant; in the Indies, and in Europe, the me of England was an object of terror and admiration. ıt neither the glory nor the prosperity of their country uld gratify the royalists, who sighed after the departed lendour of the crown; nor could the republicans brook e exaltation of one who had set out in the same career with emselves. There were, besides, two parties in the church; e episcopalians who had enjoyed, and the presbyterians ıo wished to enjoy an exclusive establishment, to whom e tolerant principles of the protector rendered him almost ually obnoxious. His latter years were disturbed by ınstant plots among the violent and disappointed partisans all factions; and a dread of assassination, for which Charles ıd offered a reward, and which a republican enthusiast had

ribes an entertainment given to him by Cromwell, upon the conclusion of the ace between the two nations. "Yesterday, at noon, we were invited to dinner his highness the lord protector, where we were nobly entertained: Mr. Strickland and the master of ceremonies came to fetch us in two coaches of is highness, about half an hour past one, and brought us to Whitehall, where welve trumpeters were ready, sounding against our coming: my lady Nieu- ort and my wife were brought to his highness presently, the one by Mr. Strickland, and the other by the master of the ceremonies, who received us vith great demonstrations of amity. After we staid a little, we were conduct- d into another room, where we found a table ready covered. His highness at on one side of it alone, my lord Bevering, Nieuport, and myself, at the upper nd, and the lord president, Laurence, and others, next to us. There was in he same room, another table covered for other lords of the council and others; t the table of my lady protectress dined my lady Nieuport, my wife, my lady Lambert, my lord protector's daughter, and mine. The music played all the vhile we were at dinner. The lord protector had us into another room, where he lady protectress and others came to us, where we had also music, and oices and a psalm sung, which his highness gave us, and told us, that it was et the best paper that had been exchanged between us; and from thence we vere had into a gallery next the river, where we walked with his highness about alf an hour, and then took our leaves, and were conducted back again to our ooms after the same manner as we were brought."

BOOK XIV.

1658. His death.

advocated,* added to all the cares by which he was surrounded, shook even his iron nerves,† and hastened his dissolution: he died of a tertian ague, on the 3d of September, one thousand six hundred and fifty-eight, a day which he reckoned auspicious, from its being the anniversary of the battle of Dunbar and Worcester.‡ He was 59 years of age.

* In a pamphlet entitled, Killing no Murder.

† In the Cromwelliana, there are two fac similies of Cromwell's signature, in the one, "O. Cromwell," dated October 15th, 1651, the strokes are bold and firm. The other, "Oliver P," dated August, 1657, is in a weak trembling hand, and not one even line in it.

‡ A number of discordant accounts are given of the death of Cromwell. The following is extracted from a pamphlet, entitled, A Collection of several passages, concerning his late highness, Oliver Cromwell, in the time of his sickness, &c.: written by one that was then groom of his bedchamber, [major Butler,] Quarto, London, 1659. "After his return to Whitehall, his sickness increasing upon him, he was observed to be in a very spiritual frame of heart, and full of holy expressions, a little whereof, it was my comfort to meet with, the very night before the Lord took him to his everlasting rest, which were to this purpose, following, viz. "Truly God is good, he is —he will not"——there his speech failed him; but as I apprehend, it was, 'he will not leave me.' This saying that God was good, he frequently used all along, and would speak it with much cheerfulness and fervour of spirit in the midst of his pain. Again he said, I would willingly live, to be farther serviceable to God and his people, but my work is done, yet God will be with his people. He was very restless most part of the night, speaking often to himself, and there being something offered him to drink, he was desired to take the same, and endeavour to sleep, unto which he answered, 'It is not my design to drink or to sleep, but my design is to make what haste I can to be gone.' Afterwards towards morning, using diverse holy expressions, implying much inward consolation and peace. Among the rest, he spoke some exceeding self-debasing words, annihilating and judging himself." That he was much affected by the decease of his favourite daughter, who died only about a month before him, is well known, for he was a most affectionate father; but the story of her dying reproaches, having awakened his remorse, is extremely apocryphal, yet it is not unlikely that the sentiments of self-abasement which he uttered may have been misrepresented as the workings of remorse. Two or three days before he died, he put up the following prayer, which appears to have given rise to the ridicule with which the royalists describe his last scene. "Lord, although I am a miserable and wretched creature, I am in covenant with thee, through grace, and I may, I will come to thee for thy people, thou hast made me, though very unworthy, a mean instrument to do them some good, and thee service: and many of them have set too high a value upon me, though others wish and would be glad of my death: but, Lord, however thou dost dispose of me, continue and go on to do good to them, give them consistency of judgment, one heart and mutual love, and go on to deliver them, and with the work of reformation, and make the name

XCIV. This extraordinary man has been represented as a profligate debauchee, who became first an enthusiast and next an hypocrite; who excited rebellion, murdered his sovereign and betrayed the liberties of his country; and the presbyterians, royalists, and republicans, as they all sincerely detested, have united in depicting him in the blackest colours, because each, in their attempts to grasp exclusively on power, were compelled to bow to the superiority of his genius and fortune. Of his early profligacy there are no proofs; and a man, who became the regular settled head of a family at twenty-one, who was an obedient son, an affectionate and beloved husband, a kind and indulgent parent, from that period, can scarcely be supposed to have attained to a pitch of very deep depravity before. The charge of religious hypocrisy was never brought against him by those best qualified to judge—his religious antagonists; nor are there any well attested instances adduced to justify the charge: to the last he was regular in his public and private devotions, and the uniform morality of his domestic life has never been challenged. Baxter, who was unfriendly, but too upright to defame, says, "that he had a zeal for religion, meant honestly, and was pious in the main course of his life, till prosperity corrupted him." In his political progress he rose gradually with events, and his capacity seemed to expand with his situation; his great sagacity enabled him to discern, almost intuitively, the instruments most proper to suit his purpose, and his decision allowed no opportunity to escape; he did not create circumstances; but his forte lay in instantly perceiving their bearing, and taking advantage of them. That he was sincere, at first, together with Hampden and the patriots who opposed the illegal measures of Charles, in seeking only a redress of grievances, and security for the liberties of his country, I am fully persuaded; that he and his party were truly desirous to restore the king, in opposition to the presbyterians, is, I think, also

Character.

"Christ glorious in the world; teach these who look too much upon thy instruments to depend more upon thyself, pardon such as desire to trample upon the dust of a poor worm, for they are thy people too. And pardon the folly of this short prayer, even for Jesus Christ's sake, and give us a good night, if it be thy pleasure."

BOOK XIV. 1658.

sufficiently plain; nor does it appear that he was, as an individual, more active than others in bringing that monarch to the block. After the battle of Naseby, the self-denying ordinance was virtually repealed, and the members of parliament again fell under the odium of wishing to prolong their power for their own emolument; and the nation becoming weary of them, the opportunity offered the general by the victory at Worcester was too tempting for human frailty to resist. Perhaps, the only blameable part of Oliver's character is, that he sought the dazzling pre-eminence thus presented him; and neither his contemporaries nor posterity have had the generosity to forgive his yielding to the current of the times, which carried him to a chair that wanted only to have been hereditary to have been encircled with the radiance of almost unsullied glory.

RICHARD—PROTECTOR.

Richard—Protector.

XCV. RICHARD succeeded to office, amid the joyful gratulations of the people: addresses of the most inviolable attachment poured in from every quarter: foreign monarchs vied in their embassies of condolence and amity; and for six months he appeared more securely seated than his father had been; —the nation was quiet, and not a whisper announced the approaching commotion. The necessities of the state, however, required supplies, and a parliament became requisite to raise them; in resorting to this measure, the young protector unfortunately did not throw himself upon the fair affections of the people, by allowing the more equal method of choosing representatives, appointed by the instrument of government, to be followed; but, in order to secure a pliant majority, violated the constitutional charter, and restored the rotten boroughs, which, however serviceable under an old established system, were found totally useless to support a new one.

Impolicy of his measures.

The elections for Scotland were more complete than any that had ever taken place since the union; and among the commoners Argyle appeared for the first time, the ruling powers having hitherto exerted themselves to prevent his obtaining a seat; but now, from mistaken policy, the pret

r courted the royalist party in both kingdoms, as a counrpoise to the violent republicans, who were the chief object his fear. According to the example of the long parliaent, the commons commenced by an investigation of their ievances; when, in order to overawe their debates, or unteract their dissensions, Richard was persuaded to asmble a general council of officers, under the direction of s uncle Desborough and his brother-in-law Fleetwood. his formidable board, perceiving their own strength, comlled him to dissolve the parliament; and he, finding himlf unequal to the task of managing the helm, during the nflicts of such turbulent elements, resigned without a strug- e his unenviable exaltation, and retired to enjoy a blood- ss and tranquil privacy.

1658

1659. He resigns.

XCVI. For some days a military anarchy reigned; but the publicans at last prevailed, and the old parliament, which d been forcibly dissolved by Cromwell, was restored. A uncil of state was immediately nominated. Fleetwood was pointed general of the army, during the pleasure of the use, in whose name all commissions in the army were di- cted to run. But the military were dissatisfied and divid- l; and the cavaliers, who hoped that the favourable moment as arrived for restoring the king, projected a rising in dif- rent parts of the kingdom; and so certain were they of succeeding, that Charles, with his brother the duke of York, had lready arrived at Calais to watch its progress, and be ready o appear in person, when the design was betrayed by sir Richard Willis. Sir George Booth, a presbyterian, seiz- d Chester, and declared for a free parliament; but, sur- rised by Lambert, his forces did not stand the first charge, nd this victory was calculated to extinguish the last hopes f the royalists. The dissensions of the generals themselves, owever, were destined to accomplish what the plots and rms of the others in vain attempted. Lambert aimed at he protectorship; and, having gained the inferior officers, etitioned parliament to confirm Fleetwood commander-in- hief, himself as his lieutenant, Desborough, lieutenant-ge- eral of the horse, and Monk as major-general of the foot. arliament refused the petition, and voted it high treason levy money without their consent. To this Lambert re-

Distracted state of England.

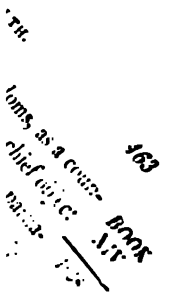
Project for the king's restoration defeated.

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hen released, was again engaged in
Ireland, from which he was di
When Charles II. invaded Scotland
attachment to the cause of liberty, h
a command in the army sent to fight
the fortune of Oliver, and expresse
tachment to Richard Cromwell; c
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While the premature risings of
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Richard—
Protector.

• Bail



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een regularly paid. The uni-
and, that he was favourably inclined
terest, enabled him to anticipate the
an extraordinary subsidy from the com-
the shires, whom he hastily assembled on the
.* To them he recommended the preservation of
al tranquillity; and leaving a division of his army to
them, he rendezvoused the rest at Coldstream, and
soned Berwick. Here he was met by a number of
tish nobles, who offered to raise a force to assist him;
owever, dreading the effect it might have in England,
ned the offer, but promised, if necessity required, he
d retire upon Stirling, and accept their assistance. Lam-
was advancing with a superior force to oppose him, but
ote of parliament had deprived him of the means of
stence; and reduced to live at free quarters, he render-
e country hostile as he advanced. Monk, who knew
in order to procrastinate, sent three officers to the com-
e of public safety—as if to negotiate—and likewise
ed Lambert with the prospect of an amicable arrange-
; but when he found the aspect of affairs changed, and
rospect either of establishing himself, or restoring the
become probable, he broke with the committee, alleg-
hat his commissioners had exceeded their powers; and
val, the dupe of his negotiations, had in the interim lost
my by desertion. The members of the late parliament,
ring, or affecting to believe, the repeated solemn protes-
s of Monk, re-assembled, 26th December, sixteen hun-

He refuses the assistance offered by the Scots.

Kiddleton's History of Edinburgh. Baillie's Letters, vol. ii. p. 437.

BOOK XIV.

plied by marching his troops to Westminster, and dispersing the powerless assembly, already degraded in public opinion by the ridiculous appellation of the Rump. The officers, once more masters, substituted a committee of safety, of which Warriston was made president, for the council of state; and the soldiers, conscious of their own superiority, soon evinced the pernicious effects of military ascendency, in the intolerable insolence they assumed toward the people; while the people, harassed with a repetition of change, longed for the establishment of any government that promised to be permanent. All eyes were turned to Scotland, and on the decision of Monk hung the fate of the parties.

1659. Lambert disperses the parliament.—Committee of safety appointed.

XCVII. Selfish, calculating, and taciturn, this general had contrived to serve all factions, without being denounced for actual treachery to any, but with strong suspicions of being false to all—one instance of the happy effect of good fortune upon character—for he never deserted a party till it was falling; and however inconstant to his friends, he always contrived to be found on the side of the successful. He had been first sent to Ireland by parliament, to serve against the rebels; but deserting their cause, he returned a royalist to England, to assist in subduing his former employers. Taken prisoner at Nantwich, he remained two years in the Tower, and when released, was again engaged in the parliament service in Ireland, from which he was dismissed as suspected. When Charles II. invaded Scotland, professing an ardent attachment to the cause of liberty, he solicited and obtained a command in the army sent to fight against him; he followed the fortune of Oliver, and expressed the most profound attachment to Richard Cromwell; on the momentary revival of the long parliament, he declared his entire devotion to it. While the premature risings of the royalists were crushed, he remained still; but when Booth declared for a free parliament, the presbyterians, if they did not count upon his assistance, at least calculated upon his neutrality.* Upon Lambert's forcible dispersion of the Rump, he immediately declared for parliament, and dismissing as many of his sectarian officers as he could, he filled their places with old

Character and conduct of Monk.

* Baillie, p. 438.

Scottish soldiers, collected his scattered forces, and prepared for marching to England.

XCVIII. With the most solemn imprecations, he protested that he had no other end in view than the settlement of the nation in a free commonwealth, and the defence of godliness and godly men; and had the parliament been able to regain their seats, Monk, most probably, would never have been heard of as duke of Albemarle. But he possessed, as general-in-chief of the Scottish army, advantages, of which he well knew how to avail himself; his force though small, were strictly disciplined, and had been regularly paid. The universal impression in Scotland, that he was favourably inclined to the presbyterian interest, enabled him to anticipate the taxes, and obtain an extraordinary subsidy from the commissioners of the shires, whom he hastily assembled on the occasion.* To them he recommended the preservation of internal tranquillity; and leaving a division of his army to assist them, he rendezvoused the rest at Coldstream, and garrisoned Berwick. Here he was met by a number of Scottish nobles, who offered to raise a force to assist him; he, however, dreading the effect it might have in England, declined the offer, but promised, if necessity required, he would retire upon Stirling, and accept their assistance. Lambert was advancing with a superior force to oppose him, but the vote of parliament had deprived him of the means of subsistence; and reduced to live at free quarters, he rendered the country hostile as he advanced. Monk, who knew this, in order to procrastinate, sent three officers to the committee of public safety—as if to negotiate—and likewise amused Lambert with the prospect of an amicable arrangement; but when he found the aspect of affairs changed, and the prospect either of establishing himself, or restoring the king, become probable, he broke with the committee, alleging that his commissioners had exceeded their powers; and his rival, the dupe of his negotiations, had in the interim lost his army by desertion. The members of the late parliament, believing, or affecting to believe, the repeated solemn protestations of Monk, re-assembled, 26th December, sixteen hun-

He refuses the assistance offered by the Scots.

* Middleton's History of Edinburgh. Baillie's Letters, vol. ii. p. 437.

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dred and fifty-nine. Monk entered England the 2d January, one thousand six hundred and sixty. He was met by a letter from Lenthal, the speaker, informing him of the late transactions, thanking him for his kind intentions, but at the same time hinting, that, as his presence in London was now rendered unnecessary, they would willingly dispense with his nearer approach. He disregarded the message, and continued his march; but still without publicly declaring his intentions. At York he refused to concur with lord Fairfax, who wished to restore the king with such restrictions as would have secured the grand object for which so much blood had been shed, and the nation convulsed for upwards of twenty years; and by his multiplied oaths and asseverations, collected around him the friends of parliament, and the military, who had declared against the house of Stuart. At his desire, also, James Sharp, minister, was sent by the Scottish presbyterians to watch over the welfare of their church.

1660. Enters England.

XCIX. Probabilities are strongly in favour of the assertion, that Monk, to the last moment of plausible hope, encouraged the idea of succeeding Cromwell, and that it was not till he perceived the impracticability of this scheme, that he formed the resolution of recalling Charles. Not long after his arrival in London, the common council, dissatisfied both with parliament and the army, resolved that they would pay no more taxes till levied by a free parliament, and began to fortify the city. The council of state, of whom Monk was one, immediately ordered the general to seize twelve of the common council men, and destroy the fortifications; orders which he punctually obeyed, by arresting eleven of the members, and pulling down the chains, gates, and portcullisses. Finding that this conduct had endangered his interest in the city, he, with his wonted dissimulation, lamented to the presbyterian leaders, that the duty had been forced upon him, and declared himself for a free parliament. The multitude, on being joined by the chief of the military, expressed their joy in bonfires; and "rumps," in derision of the fragment of a parliament then sitting, were roasted in every quarter of the metropolis. The secluded members now returned, and a number of the republicans leaving the house in disgust, a majority of presbyterians remained, who voted the revival of the solemn leag

Disarms London.

ovenant, and were for proceeding to establish order; Monk, who perceived that he stood upon a precipice, cted by the parliament, and not trusted by the army, g obtained a vote, constituting him captain-general of orces, desired them to dissolve themselves, and issue for a new parliament. Whatever intercourse Monk with Charles, previously to the meeting of this parlia-, is very imperfectly known; that he had had some is in; but the exiled king, up to nearly this date, had cer- little reliance upon him for his restoration. He had red to the treaty of the Pyrenees, to solicit foreign as- ice, and had conformed to the popish religion, in order ocure it; but he could not obtain an interview with Ma-e, and accepted, as a charitable donation, a few thousand les from the Spanish minister. In despair he had re- d to Brussels, and, on the re-assembling of the last par- nt, considered his affairs as desperate.*

Appointed captain-general of the forces.

The majority of the new parliament, again composed rds and commons, consisted of presbyterians and cava- ; and both were willing to acquiesce in recalling the ; only the former wished to secure the liberty and reli- of the country—the latter, the posts, places, and pen- of the court. The heads of the government in Ireland begun to negotiate, the fleet was ready to join, and Scot- was ripe for receiving her king, when Monk, whose in- e with France had been discovered, and who must have n that he was universally hated by all parties, deter- d to make a merit of necessity, and promote his own idual advancement, by sacrificing his principles, his try, and his friends, at the shrine of unlimited monar- † Sir John Grenville, an agent from Charles, was then

* Locke says, that Monk had agreed with Cardinal Mazarine to usurp the ne authority, and that Mazarine had engaged to support him; but his who was a strong royalist, had secreted herself behind the hangings of the overheard the bargain, and communicated it, by her brother, to sir Ash- oper, who, summoning a council of state, indirectly charged Monk; but ed that, to remove all suspicion, he should consent on the instant, to take their commissions from certain officers of the army, and give them to , whom he named. By this means the army ceased to be at Monk's de- , and he became a royalist.

† Monk had not certainly determined, March 26th, at which time, Sharp, ottish clerical deputy, writes to Mr. Douglas, that the English, on the dis-

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admitted to a private interview with the general, and carried over to the king professions of loyalty, and of a desire to promote his cause; at the same time, intimating to his majesty, that it would be desirable for him to remove from Brussels, lest he might be detained as an hostage for Dunkirk or Jamaica. With this suggestion the king immediately complied, and Grenville returned to England.

1660. Offers his services to the king.

CI. As soon as parliament met, from the tone of the speeches, and the manner in which they were heard, it was readily perceived that the restoration of the king was anticipated; and sir John Grenville was introduced into the house of commons, who delivered a letter from the king, and a declaration, which was ordered to be immediately read. The king expressed his desire to heal the bleeding wounds of the country, and ensure a full and entire administration of justice throughout the land; a free pardon and indemnity was granted to all, with the insidious exception only of those whom the parliament should except; complete liberty of conscience was promised; and his consent to any act of parliament that might secure it. All sales and alienations of land made during the distractions were to be regulated by act of parliament; and the army was not only to be satisfied, with regard to arrears, but continued in pay. The commons, notwithstanding the universal joyous madness which took a momentary possession of the multitude, and carried even the reflecting along with them, seemed willing that some limitation should be set to the power of the crown; and sir Matthew Hale—one of the most venerated names in English history—proposed that a committee might be appointed, to look into the propositions that had been made, and the concessions that had been offered by the late king, and from thence digest such propositions as they should think fit to be sent over to the present; and the motion was

Charles' letter to parliament.

Commons desire to limit the king's power.

solution of the rump parliament, were willing that Scotland should be as free as they; but that "the general is for keeping us in subjection, till he see how matters go in the parliament."—Wodrow's Introduction. The whole of the correspondence there shows clearly the indecision of Monk, till all hope of his own exaltation had fled; and accounts for his hatred to the presbyterians, whom he had hitherto favoured, as they appear chiefly to have frustrated his schemes, and, to their own destruction, been chiefly instrumental in bringing in the king.

seconded; but Monk, who saw that any conditions imposed on the monarch might operate unfavourably towards himself, interposed, and informed the house, that from the number of incendiaries in the kingdom, he could not answer for the peace either of the nation or the army, if the treaty was delayed.

Monk over-rules it.

CII. The declaration of a military chief in revolutionary times, is, in common, tantamount to a command; and the house of commons, who dreaded the return of the republicans, and were aware that Monk might, in the present ferment of men's minds, bring in the king without them, swayed too by their individual hopes or fears, acquiesced with the lords in committing themselves and the nation entirely to the generosity of the king. A deputation from both houses was sent to Breda, to invite him over; and foreign powers, astonished at the unexpected change, hastened to offer an assistance that was no longer needed. He entered London on his birth-day, the twenty-ninth of May, one thousand six hundred and sixty, and, amid the blessings and shouts of the multitude, took possession of Whitehall; whence, twenty years before, his father had secretly withdrawn to avoid their execrations. He had now an opportunity of ensuring the tranquillity of the nation, and the stability of the throne, such as monarchs seldom are favoured to possess; but there are few instances of princes, who have regained the stations from whence they had been driven, upon whom personal or family misfortunes had ever any salutary effect, or to whom the school of adversity has been a school of wisdom.

The king enters London.

THE

HISTORY OF SCOTLAND.

Book XV.

Charles II.—Introductory Remarks—Appointment of Officers of State.—Cause of the future troubles in Scotland.—Marquis of Argyle imprisoned at London.—The King's letter to the Presbyterians.—Symptoms of the restoration of Episcopacy.—Middleton Commissioner.—A Parliament.—Privilege of choosing their President taken away.—Oath of Allegiance.—Nomination of Officers of State again vested in the Crown.—Solemn League and Covenant annulled.—Recissory Act.—Forfeiture of Montrose reversed.—Trial of Marquis of Argyle.—His Execution.—Lorn receives the Estates &c.—Trial of James Guthrie.—His Execution.—The King determines on re-establishing Episcopacy.—Proclaims it.—Scottish Bishops consecrated at Westminster.—Their reception at Edinburgh.—A Parliament.—Bishops restored to all their Immunities.—Its arbitrary Acts.—Patronage restored.—Lauderdale presses an Act of Oblivion.—Opposes the Act of Fines.—Middleton's plan for ruining Lauderdale.—Trial and conviction of Lorn.—He is pardoned.—Balloting Act thrown aside by the King.—Act of Council enforcing submission to the Bishops desolates the Church.—Middleton's defence of his Administration.—The King forbids the exactions under the Act of Fines.—Rothes appointed Commissioner.—Middleton sent to Tangiers.—His death.—Lauderdale Prime Minister for Scotland.—Origin of field preaching.—Lauderdale and Rothes arrive in Scotland.—Proceedings of Parliament.—Trial and execution of Warriston.—The arbitrary acts of the Council barbarously executed by the Military.—Court of High Commission again introduced.—Turner's proceedings in the West.—Outed ministers hold Conventicles.—Lauderdale imposes the Act of Fines.—Dalziel and Drummond appointed Commanders.—Rising of the South and West defeated at Pentland.—Execution of Macculloch of Barholm and nine others.—Neilson of Corsack tortured.—Hugh M'Kail.—Executions in the West.—Barbarous proceedings of Dalziel.—Absentees subjected to condemnation for High Treason.—Sharpe and Rothes removed from the Council.—Western Army reduced.—Bond to keep the peace adopted.—Trial of Turner and Bannatyne.—Mitchell's attempt to assassinate Sharpe.—The Indulgence.—Proposals for a Union revived.—Lauderdale Commissioner.—Proceedings of Parliament.—Severe acts against Conventicles.—Roman Catholics protected.—Leighton's plan for an accommodation.—Proceedings of Commissioners to treat of the Union.—1660–1670.

BOOK XV.

1660. Charles II.

1. Never was a prince restored to his dominions under fairer auspices than Charles II.; and never—if we except the recent instance of Ferdinand the beloved toward Spain—did a prince requite a people who had stood by him in the

time of his lowest depression, and shed torrents of blood in his behalf, with more infamous ingratitude than he did the people of Scotland. The best friends of the monarchy, the constitutional supporters of the throne, were rewarded for their attachment to a family whose principles were incompatible with religious or political freedom, by persecution, proscription, and death; while those who had skulked in the hour of danger, or who apostatized from their earlier and more honourable profession, were promoted to be the scourges of their devoted co-patriots, to send them to prison, banishment and execution, to revel on their fines, and to share their estates.

11. Immediately on the king's return, numbers of the Scottish expectants flocked to London; and, as the ancient kingdom had regained its independence, the chief offices of state were the objects of pursuit. To these all who had supported the cause of royalty laid claim; and, as almost every noble family in Scotland could plead dilapidated estates, family sufferings, or personal services, an arrangement which should include all was impossible; and it would have been a painful situation for the king, had he possessed ordinary feelings, to decide on the respective merits of the applicants. But Charles got rid at once of his burden of gratitude and of any uneasy sensations, by appointing a few of those who had first obtained his ear, and who he thought would be most subservient to his will, to arrange his government. The chief of his counsellors was Hyde, shortly after created lord Clarendon, a staunch cavalier, whose mind had become contracted and selfish in exile, and who was bigotedly attached to episcopacy, the establishment of which he deemed essential to the stability of the throne: and the appointment of the Scottish officers of state was unfortunately much influenced by him. Middleton, who had risen from the ranks by his valour,* and who possessed nearly all the bad qualities incidental to a soldier of fortune, was the friend of Hyde; and, attached to no religion himself, was ready to adopt and enforce whatever his patron chose to prescribe. Him, the English chancellor,

* Middleton had been a pikeman in colonel Hepburn's regiment in France. Kirkton, p. 66.

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1660. Appointment of officers of state.

procured to be named commissioner to the next parliament —an office equal to vice-king. Lauderdale, who had studied the king's temper when formerly with him, and knew the immense advantage of being near his person, as soon as he was set at liberty from the Tower, had gone to Charles at the Hague, attended him home, and now procured for himself the office of secretary, as well as to be nominated Scottish gentleman of the bedchamber.* The earl of Rothes was appointed president of the council; Glencairn, chancellor; Crawford, treasurer; Marischall, lord privy seal; sir Archibald Primrose, clerk register;† and sir John Fletcher, lord advocate.

III. As soon as these high situations were filled, several meetings were held, by the king's authority, of all the Scottishmen of rank in London, at the house of the earl of Crawford; when the presbyterians, who were most numerous, carried, that the committee of estates, nominated by the parliament held at Stirling, 1650, should manage all affairs till a new parliament assembled. At one of these meetings, however, an objection was started as to the legality of that parliament, which being afterwards extended, occasioned all the misfortunes in which Scotland was involved for upwards of another quarter of a century. M'Kenzie of Tarbet insisted that the parliament of 1650, from which the committee derived their authority, was neither legal nor free: but was, in fact, a continuation of the rebellion, as all the royalists who had served under Montrose were excluded. The king expressed his concurrence in the objection; nor was it till after the representations of Lauderdale and Crawford

Cause of the future troubles in Scotland.

* Sir George Mackenzie, says Clarendon, who was jealous of Lauderdale's influence with the king, insidiously proposed to him the office of chancellor, and afterwards, together with Middleton, proposed lord Newburgh for the secretaryship; but Lauderdale, who anxiously desired to remain in London, obtained a pension for the former secretary, and Newburgh was preferred to be captain of his majesty's guards. p. 9.

† "Sir William Fleming was made clerk of the register, a place of great gain, for which he was as fitt as to be proffessor of metaphysicks in ane university; but he was so wise as to sell it to sir Archibald Primrose, who could husband it better." Kirkton, p. 66. Mackenzie alleges, that sir Archibald's "impudence, the surest method of rising at court," "did procure it for him;" but allows at the same time, he paid a sum to Fleming, who had the grant. Hist. p. 10.

had convinced him that by far the greatest part of Scotland had opposed Montrose, and that it would excite an universal dissatisfaction—impolitic, if not dangerous—at the commencement of a new era, that the opposition was dropped for the present, and the committee allowed to act.

IV. In the interim, as a specimen of the conduct intended to be adopted with regard to Scotland, warrants were sent down for apprehending sir Archibald Johnston of Warriston, sir John Chiesly, and sir James Stewart. Stewart, who was provost of Edinburgh, was ordered, in virtue of his office, to seize sir John, then in the city on business, and carry him to the castle. His lordship obeyed, and lodged the knight; but when about to take leave, was informed that he himself was a prisoner. Warriston, who was fortunately absent, on hearing of the arrest of his friends, left the country, and escaped for the time. The marquis of Argyle, was about the same time seized in London. Upon hearing of the gracious reception given to all the Scottish nobility, he had sent his son, Lorn, to court; and, finding that he was kindly received by Charles, was himself encouraged to proceed to the capital. On his arrival, he went to Whitehall, and Lorn, who had easy access to the king, requested that his father might be permitted to kiss his majesty's hand. But as the marquis waited in the privy chamber, which was extremely crowded with English nobility, expecting an answer to his son's application, sir Edward Walker, king-at-arms, intimated to him a royal order for seizing his person;—while a whisper circulated that he had been accessory to the late monarch's murder—and he was instantly hurried to the Tower, without being allowed to see the king, although he earnestly entreated for leave "only once to speak to his majesty."

Arrestments in Edinburgh.

Marquis of Argyle imprisoned at London.

V. At Edinburgh the committee of estates resumed their office, by dispersing a number of the remonstrants, who had assembled to frame an humble petition to the king, sending their leaders to jail, and forbidding their again meeting without the royal permission. But in order to sooth the resolutioners—who do not appear to have been dissatisfied either at the treatment of their brethren or the sectaries*—a letter

Remonstrants dispersed.

* Baillie, "that *moderate* writer," as he is styled by Mr. Laing, thus mentions the fate of men, who had at least the merit of consistency. After say-

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1660.

Charles' letter to the presbyterians.

was sent down by Sharpe—their depute, who had already betrayed them—from the king, expressing, in the strongest language, his determination to preserve and protect the government of the church of Scotland, as settled by law, without violation. But the fears of the presbyterians were kept awake by the base obsequiousness of the committee, who hastened to efface the inscriptions from the tombs of Henderson in Edinburgh, and George Gillespie at Kirkaldy, and ordered Rutherford's Lex Rex to be burned by the hands of the common hangman—acts not less mean than useless.* Nor were their fears vain; Clarendon had declared for episcopacy, in which he was seconded by Middleton and Glencairn; and seduced with the offer of the primacy, Sharpe aided by his most strenuous endeavours the re-introduction of that prelacy he had solemnly abjured, and the prostration of the system he had been especially deputed to defend.

Symptoms of the restoration of episcopacy.

VI. Lauderdale had made some fruitless, yet probably, at the time, sincere efforts for the preservation of presbytery. He was more successful in procuring the removal of the English garrisons, which Clarendon wished to remain, as he hated the Scots, whose fanaticism, he said, was too rebellious to be trusted; and which Monk, now Albemarle, also sought to be kept up, in order to gratify the officers and soldiers who

ing, "It was justice of God brought Peters, Harrison, and others, to a shameful death, to hang up the bones of Oliver, Bradshaw, Ireton, and Pride, on the gibbet at Tyburn," he adds, "and to disgrace *the two Godwins, blind Milton, Owen, and others of the maleficent crew.*" Letters, vol. ii. p. 442.

* The Lex Rex illustrates and defends the propriety of resisting tyrannical sway, while it asserts the necessity of upholding regiment, so long as it answers the purposes for which it is established; and contrasts the absurdity of confounding the religious duty of acknowledging "the powers that be" as an ordinance of God, and the moral duty of submitting to them as an human institution, without which society could not exist, with that irrational doctrine of passive obedience, which the supporters of the Stuarts so zealously advocated, till they procured the final expulsion of the race. It goes over the same ground as Buchanan, but enforces it more from the scriptures; and in particular, has an admirable refutation of the doctrine of non-resistance, urged by king James, Barclay, and others, from the famous passage in the First Book of Samuel. Many of the questions discussed in it are now obsolete; but in sound, masculine reasoning, delivered in perspicuous, energetic language, it will stand comparison with any production of that day; and had the honour, of which it was not unworthy, of being burned along with the political works of Buchanan and Milton.

had served under him, and his own avarice, by retaining the command. But Lauderdale pleaded the tried loyalty of the Scots, and, perhaps, with more effect, the money it would cost his majesty to maintain the citadels: they were, therefore, ordered to be thrown down; and the ground and materials were disposed of under his direction:—Ayr to the earl of Eglinton; Inverness to the earl of Moray; and Leith to himself, with the privilege of erecting it into a burgh of regality, under the name of Charlestown, in honour of his majesty; the superiority of which, the city of Edinburgh was forced to purchase for six thousand pounds sterling—one of the first specimens of the secretary's rapacity: yet the measure was grateful to the country at large, who were glad to get rid of what they considered as the badges of slavery.*

1660. English garrisons dismantled.

Edinburgh purchases the superiority of Leith.

VII. Middleton entered Scotland with regal pomp. At Musselburgh he was met by a thousand horse, and almost all the nobility vied in doing homage to the representative of the sovereign. His sumptuous mode of living was not less remarkable for its splendour and expense, than for its vicious extravagance and riot: and, while the nation hailed the unwonted spectacle, they lamented the more than usual profligacy of a court. Parliament was opened with the utmost magnificence on the first of January, one thousand six hundred and sixty-one; when the regalia, which had been secreted in the north, by sir John Keith, the earl Marischal's third son, was produced, and carried: the crown by the earl of Crawford; the sceptre by the earl of Sutherland; and the sword by the earl of Mar. It was most numerously attended; and never did a more obsequious assemblage convene. The nobles were all anxious to be present; and the members for counties and burghs, who had been chosen, chiefly on account of their ultra-royalty, pressed forward, to evince the propriety of the choice. All the leading men whose devotion to the crown was dubious, were either imprisoned or cited to appear as delinquents; and, as an act of indemnity had intentionally been withheld, the majority of those who might have advocated the rights of the

Middleton arrives as commissioner.

1661. Parliament meets.

Of whom composed.

* Maitland's Hist. p. 99.

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people were either excluded the assembly, or forced to surrender their principles to their fears.*

VIII. The session was opened by a sermon, preached by Mr. Robert Douglas; after which, Middleton produced his commission, and the earl of Cassilis moved that the president should be chosen. An act, however, had been previously prepared, rescinding the parliament's privilege of electing their own president, and restoring that seat to the chancellor, in virtue of his office; it passed unanimously, and Glencairn accordingly took his seat. Annexed to this act was the oath of allegiance, to be taken by members of parliament, containing an acknowledgment of the king, as the only supreme governor of the kingdom, over all persons, and in all cases, coupled with an abjuration of the jurisdiction of any foreign prince, power, state, or person, civil or ecclesiastical—an ensnaring clause, intending to delude the scrupulous—as if the supremacy allowed to the king were only asserting the right of a christian magistrate, in opposition to the dominion of the pope. The presbyterians viewed it as the transference of an antichristian power from the pontiff to the sovereign, and refused to take it: the earl of Cassilis and the laird of Kilbirnie, however, alone, in parliament, declined the oath, unless allowed to limit the royal supremacy to civil matters.† It was then proposed to elect the lords of the articles; but this was opposed by Tweedale and Tarbet, who contended that the institution of that committee, being founded merely upon parliamentary usage, for the sake of convenience, ought not to be resumed; that it was a delegation of power which parliament were not warranted in transferring, they being only delegates themselves; and their previous vote prelimited the vote of parliament: the objections were, however, over-ruled, the old custom revived, and afterwards was formally established by law.‡

Privilege of choosing their president taken away.

Oath of allegiance.

Refused by the presbyterians.

Lords of the articles restored.

* Mackenzie, p. 24. Baillie, vol. ii. p. 449. Burnet, vol. i. p. 161.

† They afterwards withdrew from the house, the only safe way in which the members of a Scottish parliament could then express their opposition; for although the commissioner assented to such being the meaning of the oath, he would not allow the explanation to be registered.

‡ Acts of the Scottish Parl. vol. vii. Mackenzie, p. 17. Wodrow, vol. i. p. 23. Baillie, vol. ii. p. 451. Lamont's Diary.

IX. Previously to this, the meetings of parliament had been early in the day; but the business, after the appointment of that committee, admitting of little debate, their sessions were commonly held in the afternoon: an innovation produced by the midnight orgies of the palace, frequently protracted till morning; from the effects of which the nobility had scarcely recovered when called upon to legislate, in the most critical conjuncture in which a nation could be placed; and their acts accorded with such previous preparation. They proceeded to assert the prerogative in its fullest extent: —the nomination of the officers of state, counsellors, and lords of session, was declared an inherent privilege of the crown, which his sacred majesty and his royal successors hold direct from God Almighty; the power of the militia, of calling and dissolving all parliaments or public assemblies, were declared to reside in the sovereign alone, and any such meeting, held by any of the lieges, upon any pretext whatever, was declared high treason; as it was to impugn the act that made it so. The national covenant was first assailed indirectly, by an act asserting the king's royal prerogative in the making of leagues, and the convention of his subjects; which having passed without opposition, the solemn league and covenant was then annulled, and its renewal, without his majesty's special warrant and approbation, prohibited under the severest penalties. To avoid voting upon this question, many of the members absented themselves; but Balmerino, Cowper, and some others, absolutely withdrew. The ministers made one attempt to stop the torrent; but it was an expiring effort: they met in their provincial synods, and were preparing to frame supplications, when they were visited by messengers from parliament, and ordered to disperse under pain of treason. In the height of their zeal for their restored monarch, the estates, notwithstanding their exclamations against the oppressions of the usurper, offered the king for life an yearly subsidy to the same amount—forty thousand pounds sterling: thirty-two thousand of which to be levied out of the excise on ale and beer, and eight thousand out of the customs, for the purpose of supporting a guard of horse and foot, to secure the internal tranquillity of the state. The effects of this tax, which

Nomination of officers of state—the power of the militia, &c. again vested in the crown.

Solemn League and Covenant annulled.

Synods dispersed.

Subsidy voted to the king.

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1661.

was rigorously exacted, were ruinous to Scotland: the money, instead of circulating through the land, as in the days of Cromwell, and being increased by remittances from England, was either suffered to lie idle in the castle after it was collected, or carried by courtiers out of the country.*

x. But the wildest and most outrageous proceeding, what struck at the foundation of all legal security, and went to overturn the essential principles of government, was the introduction of a general rescissory act, not to repeal particular acts of parliament, but to annul the parliaments themselves. The lords of the articles, tired of the labour of rescinding in detail, were anxious to get rid of all the troublesome restraints upon the prerogative by one dashing sweep; and a jocular remark of Primrose, that the better and shorter way would be to declare all the proceedings since one thousand six hundred and thirty-three, irregular and unconstitutional, was adopted by the junto at a debauch: the draught of a bill to this effect, carried at the board by drunken acclamation, was passed by the articles without inquiry, and next day sent to be ratified in parliament. In the parliament, however, it encountered an unlooked for opposition. The grounds upon which the measure was supported were, that all the parliaments which had met since one thousand six hundred and thirty-three were held without the authority of the sovereign, and were in fact a series of rebellions; that it was necessary to secure his majesty's prerogative for calling and dissolving parliaments, asserted in their late act, by rescinding all those which had met without his warrant, sat after he had dissolved them, or had continued without the presence of the commissioner. But there were three par-

Rescissory act.

* The remarks of sir George Mackenzie on this subject evince how differently men sometimes feel, in cases which reach their own pockets, from what they do in oppressions that bear down the liberties of their country. Sir George justified the most despotic measures of the worst times; but of this he says "Subsidies are in this, like to the devil; both are more easily raised than laid. Pardon me, reader, to intreat thee, that if ever thou become a member of parliament, thou consider what curses are daily poured out by the many poor, hungry, and oppressed creatures, upon such as are an accession to the imposing of taxes; for they not only torment poor people for the present, but they make way for new ones, and new taxes are the only means to make old ones seem easy." Hist. of Scotland, p. 32.

liaments, of which it was necessary to dispose; the one at which the king's father had presided himself; accompanied by his ordinary attendants, and under no restraint; the other, convoked by especial direction, for approving the engagement; and a third, held by his present majesty in person. To none of these could the alleged informality apply; they were regularly constituted, and were formally sanctioned by the king; and if they were annulled by the present parliament, a succeeding parliament might annul it in its turn, and thus the foundations of public security be entirely destroyed.

XI. This summary procedure, which was evidently and avowedly adopted for the purpose of overturning the presbyterian form of church government and introducing episcopacy, had ranged against it all who still adhered to that form from principle, or who were ashamed of such an open dereliction of what the nation had so keenly contended for, and to which the great body of the people were affectionately attached; besides, a number who were concerned in the engagement, and others who, having shared in the spoils of the times, trembled for an act that would go to annihilate the tenures of their property, or the legality of particular indemnities. But the majority of the objectors were silenced by the introduction of an express salvo, that all such persons as had obtained private rights or securities from any of the parliaments, or any deriving power from them, should be secure, except they were excluded from the act of indemnity; and the vigorous efforts of the few old consistent covenanters were exerted in vain, nor were they able to persuade the pusillanimous sycophants, that when the fundamental law of the country could be thus dispensed with, there remained but little security for personal property. Thus the most valuable privileges the nation had recovered;—the liberties and triennial succession of parliaments; the choice of the lords of articles; the freedom of debate; the independence of the judges:—all perished in the wreck of the presbyterian constitution; and the ruins of that church formed the base on which the despotism of the state was to be erected.

XII. Even Middleton, after the fumes of his temporary

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1661. Middleton hesitates.

phrenzy had dissipated, perceived the danger of establishing so monstrous a precedent, and hesitated before he would finally sanction the measure. He despatched Mungo Murray, brother to the earl of Athol, to consult the king; but his minister, Clarendon, as soon as he read the communication, sent an instant message in return to the commissioner, expressing his surprise, that he should delay getting passed a proposal so conducive to his majesty's interest. When the act passed, the minority had dwindled down to forty. The reversal of the forfeiture of Montrose, and the other ultra-royalists followed; and their bodies, which had been deposited in unhallowed graves, were raised with much ceremony, and re-interred with most imposing funeral pomp, in sacred ground. The mutilated remains of the marquis were carried from the abbey, whither they had been brought, to the church of St. Giles, and buried in the tomb of his grandfather, who had died viceroy of Scotland; the parliament and magistracy of Edinburgh attending in their robes upon the occasion.*

Ordered to pass it.

Forfeiture of Montrose reversed.—Re-interment of his body.

XIII. As an appropriate accompaniment to such legislation, the judicial deeds of this profligate assembly, sealed their own infamy, in the noblest and best blood of their country, Archibald, marquis of Argyle's, and James Guthrie's, minister of Stirling. The marquis, who had been sent down from London along with Swinton, by sea, in the end

Marquis of Argyle brought to trial.

* "Ther was out of Edin. Wast Port, Potera, out of Leith, Leith Wynd, and Canogait, 25 comps. fute, al in good kippage and weal armed, drum up in the Abbay clos: the whole streettis from the Abbay gait, set in both sides with some of said companies to the mercat cross, and ther drew up in bodies upon both sydis of the streettis, thereafter the kingis love guard being likewayis drauin up in the Abbay clos, marched up the streettis, nist the foot companies in good order, with trumpetts and drauin swordis, and marched the length of the lane mercat, where the drawin up and stood in order: all the bellis of Edinburgh and Canogait ryinging all the whyle, with the great common bell jowing and tolling, At lifting of the corpes out of the Abbey kirk, the haill cannon of the castele, the haill foot companies of Edin. Leith, &c. with the k's love guard, gave all fire at ane, with tuking of drums, sound of trumpetts, and ringing of bellis, and at the ingoing of the church, the second volley, and the third at his interring." The solemnities were concluded with a most sumptuous supper and banquet, at the marquis of Montrose's house, with concerts of music, and all sorts of merriment, for "At this heroic's funer the friendis rejoiced," "and the enemies murned, ane paradox indeed." Order of Montroise's Funeralies, &c. Appendix to Mem. of Montrose.

the year, and lodged in the castle of Edinburgh, was now ought to take his trial. His indictment, consisting of fourteen different charges, comprehended a narrative of the whole ansactions in Scotland, from the first opposition to the ng, till its final subjugation under Cromwell, in all of which, bore a conspicuous part, and of which he was accused of ing the chief instigator and prime mover;—that he called e convention of estates in 1643—entered into the solemn ague and covenant with England—that he was guilty the retaliation in the western isles, and a party to the uelties inflicted on the royalists—that he was accessary to e delivering up of the late king at Newcastle, opposed the gagement, clogged his majesty's invitation, consented to e murder of Montrose, and finally, that he complied with e usurper, and opposed the adherents of the king.

Cha
agai.

XIV. Argyle, in an extemporaneous reply, expressed the y he felt at the restoration of his majesty; and enumerating e services he had performed, and the marks of favour he d received, both from him and his royal father, desired e parliament to consider, how unlikely it was, that he ould have ever harboured a thought to their disadvan-e. With Paul, in another case, he might say, the things ged against him could not be proven; but this he would fess, that, in the way allowed by solemn oaths and cove-ts, he served his God, his country, and his king. He eated those, who were capable of understanding when e things now charged upon him as crimes were enacted, collect the state of the kingdom, the circumstances of me, and how both themselves and others were carried tibly along by the current of events, without any re-s intentions; besides, he had been among the last d entered into the confederacy, and taken the cove-The transactions of public bodies, or of officers act-ler the authority of the state, had never been held ; nor was he responsible, in his individual capacity, e deeds of that party to which he belonged. The alleged to have been committed by his clan, he were greatly exaggerated, yet unhappily too well y the terrible devastation to which their district repeatedly exposed; and the extent of their own

His reply to them.

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previous calamity, would extenuate, if it did not exculpate the crime: but be that as it might, the blame could never attach to him, who was in England when these cruelties took place. The surrender of the king was the act of a parliament at which he was not so much as present: nor was there the shadow of proof that he ever advised the death f his sacred majesty; an execrable deed, at which he had ever expressed his abhorrence, and for which, could the smallest evidence be adduced, he should ask no mercy. He could acquit himself of disloyalty, even in thought; and for whatever other error or fault he might have been guilty previously to the year one thousand six hundred and fifty-one, he pled his majesty's indemnity, granted in the parliament at Perth that year. As to what was done by him under the usurpers, they were common compliances, in which all the kingdom equally shared, and for which, many had the sanction of his majesty himself; who declared, that he thought it prudence, and not rebellion, for honest men to preserve their estates from ruin, and reserve themselves, till God should show some probable way for his return. Among all who complied passively, none was less favoured than himself; what he did, was really in self-defence. "And how could I suppose," added he, "that I was acting criminally, when the learned gentleman who now acts as his majesty's advocate, took the same oaths to the commonwealth with myself?" Sir John Fletcher, the lord advocate, who, notwithstanding all his effrontery, could not help feeling the unanswerable force of such an appeal, endeavoured to weaken its influence by the most indecent interruption; the marquis meekly replied, he had learned in the school of adversity to suffer reproach. After he had finished, the advocates, Messrs. Sinclair, Cunningham, and Mackenzie,* (afterwards sir George) protested, that as they pleaded for the marquis by order of parliament, in an action for treason, and, as some observations might escape them which might be interpreted as treasonable, that they should not be re-

His counsel allowed to plead only at their peril.

* Wodrow calls them judge Kerr, Messrs. Andrew and Robert Birnie, together with Messrs. Cunningham and M'Kenzie; but as sir George was one of them himself, and could not be mistaken as to the others, I have followed his account.

sponsible for them. But the parliament would not admit the protestation lest, under that pretext, they might utter things prejudicial to his majesty's government, and they were therefore informed, that they must speak upon their hazard.*

His petition to be tried by the justice court refused.

xv. His lordship then gave in, by the advice of his counsel, a petition to be tried before the justice court: his indictment being so intricate that it would require learned judges, nor was it to be supposed that every gentleman or burgess was qualified to decide upon points of law, neither were they his peers. The prosecuting party, who were set upon his ruin, caught at this, which they construed into a declining of parliament, and the marquis was desired either to own the petition, or point out who had written it, that they might be proceeded against. From this perplexing dilemma he was extricated by his counsel, who acknowledged and were under the necessity of pleading long to justify it: the prayer of the petition was refused; but, as a wonderful display of the mercy, equity, and indulgence of the court, the counsel were PARDONED! The pannel's advocates then prayed that they might be allowed to lead exculpatory proof, but this also was refused; and the defences, replies, duplies, and triplies, were ordered to be given in in writing: the charges were, however, restricted to acts since the year 1651, in consequence of a letter from the king, ordering the crown lawyers not to prosecute for any offence previous to the indemnity of Stir-

Charges against him restricted.

* Perhaps a more abominable statute, than that of "Leasing Making," never existed under any government. If a man pled for the rights of his country in parliament, he was liable according to it to be tried for high treason, as attempting to render the subject dissatisfied with the conduct of his sovereign. If the most flagrant attack upon public liberty was brought forward in the meeting of the estates, in the shape of "An Act," whoever opposed it, was liable to the highest penalties of law, as creating disloyalty in the lieges; and if on a criminal trial the accused justified himself, by producing the most wanton oppression on the part of the servants of the crown, he was liable to be found guilty of death, for stirring up mischief between the king and the people! On this trial, the advocates were not allowed to bring forward exculpatory proof, or produce recriminating facts, but at the hazard of being themselves tried for a crime of the same magnitude with that of the pannel they were appointed to defend!! Had no other benefit accrued to Scotland from the revolution than getting rid of this horrible law, that event would justly have been styled GLORIOUS.

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ling, obtained by Lauderdale, on purpose to protect his c particular friends, who might have otherwise been obnoxi to the revenge or avarice of the commissioner, and the int cession of Lorn, who remained at London to manage father's business.

Means used to procure his condemnation.

XVI. To counteract this influence, which the commission feared, the earls of Glencairn and Rothes were despatch to London, where the former applied himself successfully the cold-hearted Monk and the bigoted Clarendon; whi the latter reminded Lauderdale of Argyle's former oppos tion, and the danger of allowing him to escape,—as from hi abilities much was to be dreaded should he regain his influ ence in the state; and all future applications for mercy wer in vain.

XVII. The relevancy of the indictment being discussed, proof was allowed on all the charges after the year 1651 when a number of witnesses having been examined, nothin deadly was expiscated, and the earl Loudon had addres ed the house, in a long, eloquent, and argumentative speech which apparently made a strong impression—as the judg were all as deeply implicated in crime as the accused—j as the court were about to consider the whole matter, while it yet hung in doubt, and appearances seemed in fa of his lordship, a messenger, who had come express London, knocked violently at the door of the parlia house. Upon his admission, he presented a packet commissioner, which every one concluded contained mission, or some other warrant in favour of the m especially as the bearer was a Campbell; but, up packet being opened, to the utter amazement of friends, it was found to consist of a great many let

His letters to Monk produced.

dressed by his lordship to Monk, while he was gov Scotland, and which, with unparalleled baseness, h served, to see if they were absolutely necessary; ing been informed by the commissioner's envoys of tiness of the proof, he had sent post by an especia

* Mr. Rose, in his remarks on Mr. Fox's history, after exam dence for his assertion, copied from Burnet, that Monk delivere of Argyle, on which he was condemned, and adducing an ingr tory proof for the renegade, thus concludes: "It is hardly poss

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rs thus infamously produced were decisive as to compliance with the usurpers—that is, of being where Monk himself had been an active agent— is ground alone, was the noble pannel found guilty , by the majority of a parliament, almost all of e more culpable than he. He is found guilty.

Next day he was forfeited; and the manner of his cuted being put to the vote, "hang or head," it d that he should be beheaded, and that his head placed on the same pinnacle, at the end of the tol- ere Montrose's had been formerly fixed. He re- sentence kneeling, which was pronounced by the awford; on rising, he said, he remembered that he ut the crown upon the king's head, and added, he d would bestow on him a crown of glory, for he d him well.* The parliament seemed much af- this sad instance of the mutability of fortune, and ip's humble, composed demeanour, drew tears even His tence.

evidence could be given in any case, to establish a negative, than to prove the falsehood of the bishop's charge. He must there- that if Mr. Fox had informed himself fully on the subject, he een induced to forbear the positive condemnation of Monk, and nt severe censure upon him." Observations, p. 26. So easy is usible objections in the face of direct testimony. Mr. Laing, in Hist. vol. iv. p. 413, triumphantly vindicates both himself and n any rash assumption, on the mere authority of Burnet, in the ice, and the incontrovertible evidence of sir George Mackenzie fact wholly out of doubt. The only apology for this, and se- blunders committed by Mr. Rose, is what he himself offers. l not been in his power to employ many more weeks in the com- s Observations than Mr. Fox did years in the composition of his oduction, p. 36. It would have been a better reason for his not . But it is more difficult to find an excuse for Mr. Rose's anxiety ame of a callous villain, who could betray his king, his country, with equal, cool, deliberate facility, when it suited his interest so

g, following Wodrow, makes the marquis say, "I have placed the is head, and this is my reward! but he hastens me to a better is own." Hist. vol. iv. p. 16. I have preferred sir George account, which is more in consonance with Argyle's behaviour, that the king would have pardoned him had he got an applica- d who was leaving his widow and family dependant on Charles' . p. 40.—His head remained exposed till June 8th, 1664, when down, and placed beside the body.

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from his enemies; yet when he requested a delay only of ten days, till his sentence should be communicated to the king, they, with the inconsistency and inhumanity so common among collective bodies, refused him the respite, and sent him to the common jail among the ordinary prisoners, for the two last days they allowed him to prepare for death.

His request for delay refused.

xix. The marchioness was waiting for him in the tolbooth, to whom he said as he entered, "they have given me till Monday to be with you, my dear; therefore, let us improve it." She, embracing him, wept bitterly, and in an agony, exclaimed, "The Lord will require it, the Lord will require it!" He spent the Sabbath not only calmly but cheerfully, in exercises of devotion, with several ministers who were permitted to attend him; to whom he remarked, that he was naturally of a timorous disposition, and bade them observe how wonderfully he was delivered from all fear. At his own desire, his lady took her leave of him on the Sabbath night, after which, he passed some hours in uninterrupted and pleasant sleep. On the morning of Monday, he wrote a letter to the king, asserting his innocence, recommending his widow and family to his majesty's protection, and requesting that his just debts might be allowed to be paid out of his estate. He dined with his friends precisely at twelve o'clock, after which he retired for prayer, and on rejoining the company, appeared in an ecstasy of joy: as he was quitting the jail, he observed to some of his fellow prisoners whom he was leaving, "I could die like a Roman, but I choose rather to die like a Christian."

His behaviour while under sentence.

xx. He was accompanied to the place of execution by several noblemen and gentlemen in mourning, with whom he walked steadily down the street, and mounting the scaffold with the greatest serenity, saluted all who were upon it. In a speech, which he delivered without a falter, he forgave his enemies and vindicated his own conduct, which, at that awful moment, he declared had never been influenced by any motives of self-aggrandizement or disloyalty. He had been cordial, he said, in his desires to bring the king home, and in his endeavours for him when he was at home; nor had he ever corresponded with his enemies during the time he was in the country. But he warned those, who, if their private

His address on the scaffold.



ARCHIBALD CAMPBELL,

MARQUIS OF ARGYLE

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terest went well, cared not whether religion sank or swam,
ıd accounted it rebellion to adhere to their covenant engage-
ents, to beware how they deceived themselves; that no magis-
ate could absolve them from the oath of God; that religion
ust be a main and not a secondary object; and that they were
e best subjects who were the best christians. The times,
added, were likely to prove very sinning times, or very suf-
ing times, and let christians make their choice: there was
ad dilemma in the business, sin or suffer; and truly, he that
ould choose the better part, would choose to suffer. Having
ain spent some time in devotion, when he had finished, he
stributed some last tokens of remembrance to the friends
ıo were with him. After his doublet was off, and imme-
ately before he laid his head upon the block, he addressed
ose near him—"Gentlemen, I desire you, and all that hear
, again to take notice, and remember, that now, when I
ı entering into eternity, and to appear before my Judge,
d as I desire salvation, and expect eternal happiness from
n, I am free from any accession, by knowledge, contriv-
, counsel, or any ways, of his late majesty's death; and
ray the Lord to preserve the present king, and to pour
t his best blessings upon his person and government; and
e Lord give him good and faithful counsellors. He then
elt down, and at the given signal—the lifting up of his hand
the knife of the maiden severed his head from his body.
cording to the sentence, his head was affixed on the tol-
oth; but his body was given to his friends, by whom it
s carried, with a numerous attendance, in funeral proces-
n to Kilpatrick; thence transported by water to Denoon,
l finally deposited with honour in the family burial place
Kilmun.

His execution.

xxi. The palpable iniquity of Argyle's sentence awaken-
the pity even of those who had been averse to him dur-
; the latter part of his life, and excited throughout the
ion in general, the deepest feelings of abhorrence and
estation. He was regarded as one of the most upright
tesmen of his age; and he certainly, more than any other
his cotemporaries, refused to bend his principles to the
anges of the day. From the moment he embraced the
enant he conscientiously adhered to it, till he finally seal-

His character.

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ed his attachment by his blood His personal courage has been doubted, and he himself confessed that he was naturally fearful; but his timidity never led him to shrink from measures he thought beneficial to his country, however dangerous, or to flatter what he thought tyranny, however safe. "His sagacity," it has been said, "was not always exempt from enthusiasm;" yet who would condemn an enthusiasm that enabled a man to support steadily a good cause in evil times, and triumph over the fear of death, rather than abjure it? It will gratify the reader to know that the rapacity of Middleton, and those who prosecuted this nobleman to death, was not rewarded with his spoils. Through the intercession of Lauderdale, whose lady's niece he had married, Lorn succeeded to the estates and all the titles [but marquis] of his father.

Lorn succeeds to his estates, &c.

XXII. Swinton, who had not only been a judge under Cromwell, but previously forfeited by the parliament at Perth, having turned a quaker, and frankly condemned his own conduct, when brought to receive sentence, was pardoned, and retired to the north, where he made several proselytes; among whom was reckoned the father of Barclay, the celebrated apologist for the sect. His safety was generally ascribed to the aversion Middleton had to Lauderdale, who enjoyed a grant of his estate. Sir John Chiesly, who was also forfeited at the same parliament, and deeply implicated with the usurpers, was passed over. His escape is ascribed to the possession of some important documents which clearly proved Lauderdale's accession to the delivery of the king to the English army, and which he gave up to the commissioner; but it is likewise attributed to the influence of money, which is highly probable; for among the first consequences of the king's return, was the shameless and universal venality of justice.

Swinton pardoned

Sir John Chiesly passed over.

XXIII. Argyle was followed to the scaffold by James Guthrie, the ablest and most courageous of the Scottish ministers; and his condemnation was, if possible, even more atrociously unjust than that of the marquis. His adherence to the king had been constant and steady, and his opposition to Cromwell uniform and inflexible; but he did not believe the professions of Charles, and he had had the sincerity to tell

James Guthrie.



so: he had also published the sentence of excommuni- n, voted by the church commission against Middleton is conduct in 1656; and was, besides, the champion of church, whose punishment it was calculated, would strike or into the whole body of the presbyterians. The crimes which he was accused were—contriving the western re- strance; writing a book entitled the Causes of God's ath; subscribing the humble petition, August 23d; but fly declining his majesty's authority in ecclesiastical mat-

Charges against him.

His defence was irrefragable: he acknowledged his ac- ion to the whole of the facts adduced against him; but onstrated that not one of them by the law of the land could eemed seditious or treasonable. And he thus summed luminous and argumentative speech:—"That I did r propose or intend to speak or act any thing disloyal, tious, or treasonable, against his majesty's person, autho- or government, God is my witness! and that what I e spoken, written, or acted, in any of these things where- I am charged, hath been merely and singly from a iciple of conscience, that, according to the light given me God, I might do my duty as a minister of the gospel. because the plea of conscience alone, although it may enuate, cannot wholly excuse, I do assert that I have ided my speeches, writings, and actings in these matters he word of God, and on the doctrine, confession of faith, laws of this church and kingdom, upon the national co- ant of Scotland, and the solemn league and covenant be- t the three kingdoms. If these foundations fall, I must with them; but if these sustain and stand in judgment, I hope they will, I cannot acknowledge myself, neither pe will his majesty's commissioner and the honourable t of parliament judge me, guilty either of sedition or son."

His defence.

XIV. The trial lasted from the 20th of February till the of April, and the most strenuous attempts were made nduce him to withdraw his declinature; he was even red a bishopric; but while he professed the utmost sub- ion to the civil power in civil matters, he would not con- to allow that they were in the first instance the judges minister's doctrine—a power which, as the law then

His steadfastness.

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1661.

stood, they did not possess. When the protracted proceed ings were brought to a close, he finished his pleading by pointed and solemn appeal, which was heard with the mo profound attention, and induced a number to withdraw, d claring, in the language of scripture, then the classical la guage of the times, "We will have nothing to do with t blood of this just man." Addressing the chancellor, "M lord!" said the intrepid but resigned minister, "I shall, i the last place, humbly beg, that having brought such pre nant and clear evidence from the word of God; so much d vine reason and human law; and so much of the comm practice of the kirk and kingdom in my own defence; a being already cast out of my ministry, driven from my dwe ing, and deprived of my maintenance; myself and my fami thrown upon the charity of others; and having now suffer eight month's imprisonment, that your lordship would p no further burden upon me. But, in the words of the pro phet, 'Behold! I am in your hands, do to me what seemet good to you:' I know for certain, that the Lord hath com manded to speak all these things, and that if you put me t death, you shall bring innocent blood upon yourself, an upon the inhabitants of this city. My lord! my conscienc I cannot submit; but this old crazy body and mortal flesh I do submit, to do with whatsoever you will, whether by death or banishment, or imprisonment, or any thing else; only, I beseech you, ponder well what profit there is in my blood; it is not extinguishing me nor many others, that will extinguish the covenant and work of reformation since 1638. No! my bondage, banishment, or blood, will contribute more for their extension than my life or liberty could, were I to live many years! I wish to my lord commissioner, and to all your lordships, the spirit of judgment, wisdom, and understanding, and the fear of the Lord, that you may judge righteous judgment, in which God may have glory, the king honour and happiness, and yourselves peace in the great day of accounts."

His concluding address.

xxv. On the day of his execution, several of his friends dined with him, when, not only his cheerfulness, but even his pleasantry did not forsake him. After dinner, he jocularly called for a little cheese—of which he was very fo

but had been forbid by his physicians to eat on account of a gravellish complaint—saying, "I hope I am now beyond reach of the gravel." He delivered his last speech from the ladder with the same composure as if he had been delivering a sermon; and died with a fortitude worthy of the cause for which he suffered.* A captain Govan, who appears to have been equally innocent, was hanged along with him, and met death with equal intrepidity. After expressing his hope of a blessed immortality, when the rope was put about his neck, he observed, "Middleton and I went out to the field together upon the same errand; now I am promoted to a cord, and he to be lord high commissioner; yet would I not change situations with him for a thousand worlds!" Patrick Gillespie, through the interest of lord Sinclair, upon his submission, was only sequestrated from his living. Samuel Rutherford's death, after a lingering illness, disappointed the malice of his enemies; and the first restoration parliament of Scotland terminated without more bloodshed.

His execution, and captain Govan's.

XXVI. Immediately after the adjournment, the commissioner hastened to London, leaving the executive in the hands of the privy council—an arbitrary court of the worst description, that assumed the judicial and almost the legislative functions, whose proceedings were arbitrary, secret, and from which there was no appeal. His conduct had been highly gratifying to the cavalier party at court, who were delighted with the extent to which he had carried the king's prerogative in that country, whence first the strongest opposition had arisen to the despotism of the crown; and whose endeavours after uniformity, it remained now only to repay by forcing upon them the adoption of a common hierarchy. At a council, which was called upon his arrival, Middleton gave an account to the king of his management of affairs in Scotland; and formally requested the royal pleasure respecting the religion which should be established by law; expressing

Middleton goes to London.

* Sir George Mackenzie does not attempt to justify the murder of Guthrie, and mentions his powerful talents with respect. "Really it was to be regretted, that a more tractable and quiet person had not had the keeping of his great parts and courage." Hist. p. 51. And Charles himself said, when he heard of Gillespie's being freed, "If I had known you would have spared Mr. Gillespie, I would have spared Mr. Guthrie." Wodrow, p. 69.

BOOK XV.

1661. Debate in the council respecting the form of church government to be established.

his belief that presbytery being now abolished—if his majesty did not personally interpose to prevent it—the nation would return to episcopacy, and the altar which had been overturned would naturally regain its ascendency with the restoration of the throne. Glencairn affirmed that, disgusted with the influence of the ministers, six for one longed for the re-establishment of the bishops and tranquillity;—as wherever they swayed, there never had been any disturbance—whereas calvinism and presbytery had never been introduced into any country without producing rebellion and blood, as witness the civil wars of Geneva, of France, of Holland—when the states revolted from Spain—and now twice in their own country. Rothes said he had not seen the rise of the late innovations; but he knew the mischief the presbyterians had done in ruining the engagement, and by their indecorous treatment of the king. Lauderdale contended that the question was of too great importance to be settled without serious deliberation and much inquiry; and proposed that his majesty should call a general assembly, or consult the provincial synods, who—as they consisted of lay elders as well as ministers—would inform him of the real state of public opinion in the country; or he might convoke an assembly of the ablest divines of either party, at Westminster, and obtain their sentiments, if neither of the former propositions pleased. The commissioner replied, that the last proposal would only tend to create confusion, and the two first were the most effectual methods to settle presbytery, as these assemblies would be guided by the ministers; nor would the ruling elders dare to quarrel the resolutions of their Rabbins;—besides, to call these assemblies were to restore them, and to infringe the act rescissory. All being silent after this reply, the chancellor of England observing that Crawford had delivered no opinion, insidiously requested his majesty, that all might be desired to express their sentiments; hoping either to force the earl to disown presbytery, or displease the king and lose his treasurer's rod, which Maitland was desirous of obtaining. Crawford, thus pressed, keenly urged that provincial assemblies might be consulted; and assured his majesty that a vast majority in Scotland favoured presbytery. Nor were the offences of the reformers to be charg-

ed upon the reformation; the best innovations were ever attended with much irregularity, and therefore, it was better to continue that government, which had now past all those perils and errors which were originally unavoidable, than to hazard another, which would be at first unhappy in the same inconveniences; nor did the act rescissory cut off presbytery, for it had been secured by acts of general assemblies, which had been countenanced by his father's commissioners, and these were yet unrepealed. The duke of Hamilton added, that the reason why the rescissory act had passed so easily, was because his majesty, in his letter addressed to the presbytery of Edinburgh, had promised, upon the word of a prince, to continue that form of church government. Clarendon, who, during the debate had reminded the king of the natural tendency of presbyterianism to excite sedition, concluded it by remarking that Crawford had owned all that the Scots had done in their rebellion, adding, "God preserve me from being in a country where the church is independent of the state, and may subsist by their own acts—there all churchmen may be kings!" This last argument prevailed, and Charles, untaught by the revolutionary lessons of thirty years, resolved to adopt the worst measures of his father's reign.* 1661. The king determines on episcopacy.

XXVII. Lauderdale—whose principles never baulked his preferment—when he perceived farther opposition might be detrimental to his interest, deserted the religion which his majesty had pronounced unfit for a gentleman, and urged the innovation he saw he could no longer prevent. The result of these deliberations was transmitted to the Scottish privy council, in a letter from the king, of which Glencairn was the bearer, accompanied by Rothes and Sharp. "We," said his majesty, in this document, with a low evasion, unworthy of a prince, "did, by our letter to the presbytery of Edinburgh, declare our purpose to maintain the government of the church of Scotland, settled by law; and our parliament having since that time, not only rescinded all the acts since the trouble began, referring to that government, but declared also, all those pretended parliaments null and void, 1662. Lauderdale joins the episcopal party. The king's letter to the council announcing his determination.

* Wodrow, vol. i. p. 96. et seq. M'Kenzie, p. 54. et seq.

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and left to us the securing and settling church government; WE therefore, in compliance with that act rescissory, from our respect to the glory of God, the good and interest of the protestant religion; from our pious care and princely zeal for the order, unity, peace, and stability of the church, and its better harmony with the government of the churches of England and Ireland, have, after mature deliberation, declared to those of our council here, our firm resolution, to interpose our royal authority for the restoring of that church to its right government by bishops, as it was by law, before the late troubles, during the reigns of our royal father, and grandfather, of blessed memory." The council returned a dutiful and submissive answer; but Tweedale, who favoured presbytery, had hesitated in his acquiescence, and hinted the propriety of advising with the synods. This spirit, if unchecked, might have been troublesome; yet as it scarcely amounted to opposition, it was difficult to find a pretext for punishing. To reach it, Middleton had recourse to a most unwarrantable stretch of power. He procured a royal order for the imprisonment of Tweedale, because he had spoken in vindication of Mr. James Guthrie in the council, and had not voted for his death in his place in parliament. It was in vain he pled privilege; he was forced to acknowledge his offence, before he obtained the favour of being confined to his own seat. His summary removal, secured in the council, an undisturbed unanimity, and a ready compliance with every royal wish or mandate, however arbitrary.

Tweedale imprisoned.

A proclamation was immediately issued, announcing the restoration of bishops, prohibiting assemblies of ministers in their synodical meetings, and forbidding all discoursing or preaching against the change, under pain of imprisonment. This was followed by another addressed to the burghs, commanding them, under the highest penalty, to elect none as magistrates who were of fanatical principles, or suspected loyalty; and such was the universal servility, that this imperious illegal encroachment upon the freedom of election was implicitly obeyed: none who had discovered decided attachment to presbyterian principles during the late troubles, were re-elected or continued in office, in the obsequious burghs; nor does one solitary stand appear to have been

Proclamation restoring episcopacy.

Respecting the electing of magistrates.

de in support of their chartered rights;—so immediate l complete had been the effect of the transfer of power o the hands of the ultra-royalists.

XXVIII. Episcopacy thus established by royal authority, a ficulty arose, similar to what had before occurred, respect- their ordination. Sydserf, alone survived of the former tch, and one prelate was incapable of laying on the quan- m of pontifical sanctity necessary in the construction of a shop. A commission was therefore issued to the right verend fathers in God, the bishops of London and Wor- ster, and some suffragans of the diocese of Canterbury, r this purpose; and Sharp, Fairfoul, and Hamilton, were mmoned to London, where they were joined by Leighton, receive consecration at their hands. At first, the Scot- sh ministers were for resisting the degradation, as their redecessors had done, and objected to re-ordination as riests. But it was determined entirely to eradicate pres- ytery; and the English clergy insisting that presbyterian dination was perfectly invalid, the others, when sacri- cing the principle, did not deem it necessary to stickle r the form, and submitted to go through the inferior de- ees, to qualify them canonically for their lordly rank in od's heritage.

Scottish ministers submit to re-ordination.

XXIX. The ceremony was performed in Westminster Ab- y with great splendour, and was succeeded by magnificent ntertainments, given by the new made bishops to the Scot- sh and English nobility. They returned home in state. rom Berwick their progress resembled a triumphal proces- on, crowds of the needy nobles meeting them upon the ad, and swelling their train. At Musselburgh, the caval- de was joined by fresh accessions; at Edinburgh, the ma- strates received them in their robes; and the sounding of umpets proclaimed to the citizens the arrival of their new stors. A series of feasting succeeded, in which the chief ficers of state vied with each other in the extravagance of eir banquets, and the jollity of their carousals with the urch dignitaries: Sharp, now primate, aping the grandeur nobility, launched an elegant London built carriage, and as attended by footmen in purple liveries. Leighton alone, stinguished for his learning, piety, and simplicity of man-

Consecrated bishops.

Their reception in Edinburgh.

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ners, shrunk from the ostentatious parade which he deemed unworthy the character of a christian bishop, nor partook of the revelry which marked the re-planting of prelacy in the ungenial soil of Scotland.*

Parliament

xxx. On the day after the arrival of the bishops, [May 8th,] the second session of the parliament commenced; and their first act was for the restitution and re-establishment of the ancient government of the church by archbishops and bishops, whose external order was declared to belong properly to the king as an inherent right of the crown.

restores the bishops to all their immunities.

The bishops were restored to their ancient prerogatives and privileges, spiritual and temporal, in their fullest extent, untrammelled by any judicatory; being required only to exercise their function, with the advice of such of the clergy of known loyalty and prudence, as they might choose to consult; and by an excess of complaisance, becoming the legislators from whom it emanated, all that should be determined hereafter, in the external polity of the church, by his majesty, with the advice of his archbishops and bishops, and such of the clergy as he should call, was ratified by anticipation! As soon as the act for their restoration had passed, the prelates who were in waiting, were invited by a deputation from

They take their seats in parliament.

each estate, to resume their places in the house, which they immediately did, among the earls, on the right of the commissioner.

xxxi. The national covenant, and solemn league and covenant, were then declared unlawful, void and null, the acts of assembly, approving of them—which had been overlooked in the rescissory act—by whomsoever ratified, were, at the same time, abrogated as seditious; and any writing, printing, preaching, or praying, which had a tendency to stir up a dis-

Arbitrary acts of this parliament.

like to his majesty's supremacy in ecclesiastical affairs, or to the episcopal form of church government, was to be punished as seditious. An act was at the same time passed, requiring every person who assumed an office of trust, to declare, that he judged it unlawful for subjects, upon any pretence of reformation, to enter into covenants or take up arms against

* Baillie, vol ii p. 461. Wodrow, vol. i. p. 104-115. Burnet, p. 205, 206. M'Kenzie, p. 60-63. Kirkton. p. 135-137.

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ɪreign, and to disown, as seditious, all that had been petition or remonstrance, during the troubles.* whose first operation was to disable conscientious ians from holding offices under the crown, became s an engine of cruel oppression, and a snare to such ɔnoxious to the ruling party. The right of patron- hen restored, and ministers who had entered to ɔf any parish since the year one thousand six hun- fifty-nine, without a regular presentation from the tron, were deprived of their benefices, unless they rocure, within four months, legal titles, and have from the bishop of their diocese.

Patronage restored.

The hierarchy, thus forcibly thrust upon Scotland, rom that which the first Charles and his father had l to impose, not more in the precipitancy with which rried, than in the total absence of every thing that ıppearance of presbytery. There was no liturgy, ɔf common prayer again attempted; but the whole : of the church was rendered absolute in the pre- d they entirely dependant on the crown. Under ding episcopate, the bishops usurped pre-eminence nods and presbyteries, but possessed no magisterial d were themselves amenable, at least nominally, to bly; but now the ministers, like satellites, were or- attend their visitations and diocesan meetings, to r assistance in all things that should be required by eriors, but to possess no voice in the legislation of ːh.†

Difference between the present and former episcopacy.

. Hitherto, the unsettled state of ecclesiastical af- l been the avowed obstacle to an act of oblivion;

reat design of this act," sir George M'Kenzie tells us, "was to in- he earl of Crawford from being treasurer, and Lauderdale from ary; but Lauderdale laughed at this contrivance, and told them he a cartful of such oaths before he would lose his place." And he ıugh Crawford was thereafter turned out of his office, yet Mid- ɔd it, and thus we see how God disappoints such as endeavour to ir native country with unnecessary oaths and engagements." Hist. t this very Mackenzie pursued to death and banishment men, who sign, not only unnecessary, but contradictory oaths and engage-

h Acts, vol. vii. Apologetical Relation, p. 74, et seq. Naphtali, 'odrow, vol. i. p. 120.

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Lauderdale presses an act of oblivion.

Middleton proposes the act of fines.

Opposed by Lauderdale and Crawford.

Carried.

Iniquitous proceedings under it

that, however, having now ceased, Lauderdale, wh witnessed so many revolutions, probably, not thinkin self quite secure until this measure passed, now pre with so much keenness, that the commissioner could no longer delayed. But he represented, that a num royalists, who had been ruined in defence of the mon remained without recompence, and that as there w funds from which they could be relieved, it was but re ble that those who had preserved their estates, by c ance with the usurpers, or enriched themselves by the pressions, should be fined, to repair the losses the othe suffered. The object of such a plan of procedure, hands of such a man, was evident, although it had a ble show of equity to support it; and Lauderdale and ford, who perceived clearly the advantages the commi would gain, by enriching himself and his friends, strenuously against any limitation, as ungenerous and litic. A full amnesty had been granted to all in En except the regicides; and it seemed unkind and unf wards Scotland, which had merited so well of the kin suffered so much in his cause, to be treated with less and indulgence. Middleton's representations, howeve vailed; only the fines were required not to exceed one rent, and the offences were restricted to those subsequ the previous act of indemnity. But these restriction merely in words; the delinquents were delated, not a ing to the measure of guilt, but the capacity to pay; bribe to the commissioner, or some of his minions, surer safeguard against oppression, than the most unt loyalty. In a committee, bound to secrecy, lists were out of those liable to be fined, and without inquiry or ination, upwards of eight hundred persons were enroll private malice, the hope of plunder, or wanton incons tion suggested: among whom, there were many who dead, others who had been abroad during the troubles not a few who were infants or at the breast.*

* Robert Kerr of Graden, because an honest man, a merchant is refused to afford him a suit of clothes upon trust, for he doubted pa caused the man to be fined in six hundred merks Scots, for a noble a This procedure is known by the name of the Act of Fines. Kirkton,

xxxiv. Equally unprincipled, Lauderdale was not so imprudent as Middleton. He perceived the impropriety of proceeding with such precipitation, and although, like too many statesmen, he sacrificed both his integrity and his judgment, to retain his power, he endeavoured, as far as was consistent with his predominant passion, to introduce more rational methods, if not more tolerant maxims of government, into his master's councils. Middleton, who disdained moderation, was supported by Clarendon,—as jealous as himself, of Lauderdale's influence with the king,—and judging this a favourable opportunity, for getting rid of his rival, endeavoured to improve to that end, the opposition the secretary expressed to the act of fines. He therefore, despatched Tarbet to London, while the subject was in debate, ostensibly, with a draught of the bill of indemnity, as intended to be laid before parliament; but with private instructions to propose a clause for excepting a certain number of persons, as incapable of holding any place of public trust. At a council called for considering the act, Tarbet, who had previously shown Lauderdale the public deed, produced his private instructions, when the earl, surprised at the deceit, inveighed with much passion against the disingenuity of his conduct. Tarbet explained, that his instructions were not addressed to the secretary, to whom he acted with sufficient fairness, when he showed him a copy of the bill proposed to be introduced into parliament. The other vehemently proceeded to condemn the project altogether, as unjust and injurious; to exclude men from public trust, he averred, was equivalent to forfeiture; and no person ought to be so punished, unless the names of such as were desired to be excepted, were first expressed, that his majesty might consider their special condition and desert; and that they ought then to be legally tried, and not punished in an arbitrary manner, without being heard. These arguments were strongly seconded by Crawford, who artfully suggested, that this was again committing to parliament the choice of the king's servants. But Tarbet contended, that it was

Middleton's plan for ruining Lauderdale.

A number of atrocious instances are recorded by Wodrow, the above is merely a specimen of private petty revenge, to which any person in the country, unconnected with those in power, was then liable.

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merely delegating a power of inquiry to the parliament, and that his majesty still reserved to himself to judge of the propriety of their recommendation; besides, from the peculiar circumstances in which his majesty was placed, his long absence having rendered him unacquainted with the characters of those he was constrained to employ, an instance like the present, would never again occur, and could never be drawn to establish a precedent. The duke of York, Clarendon, and Ormond, all of whom disliked Lauderdale, coincided with Tarbet; and the king granted his warrant, for excepting from places of public trust, any twelve persons, whom parliament should name.*

His profligacy.

xxxv. While Tarbet was thus dexterously undermining the commissioner's enemies at court, Middleton's blind impetuosity was hastening his own ruin at home. The riotous waste of his establishment occasioned incessant demands for money, and his constant intoxication inflaming his passions, rendered him insensible to any prudential checks upon their gratification.† Both his revenge and his avarice were interested in the fall of Argyle; his revenge had been satiated in his blood, but his avarice had been disappointed by the gift of his estates to his son. They were, however, burdened with a debt of four hundred thousand merks, for which Argyle had a bond on Huntly's estates; but when these estates were restored, they were voted to be restored free, and Argyle's claim was disallowed. Lorn, irritated at the continued persecution his family was exposed to, expressed his sentiments freely, in a confidential letter he sent to his friend, lord Duffus, in which he told him, he had prevailed with a nobleman in England, to procure him the assistance of the great man, [Clarendon,] upon whom Middleton depended, if he could get L.1000 sterling, and that being done, he hoped that this was but a "gowk's storm;" after some expressions about the parliament, he added, "and then the

Letter of Lorn to lord Duffus intercepted.

* M'Kenzie's Hist. p. 70.

† The commissioner had L.50 a day—equal to five times the sum now allowed him, which he spent faithfully among his northern pantaloons; and so great was his luxury, and so small his care of his family, that when he filled his wine cellar, his steward thought nothing to cast out full pipes to make room for others. Kirkton, p. 114.

king will see their tricks." This letter was intercepted at the post-office, and carried to Middleton, who immediately laid it before the estates, and founded upon it a capital charge against Lorn, for the Scottish crime, leasing-making; as if he intended, by exhibiting the tricks of his enemies, to sow dissension between them and the king. Instructions were instantly sent to Tarbet, to entreat his majesty that Lorn might be sent down as a prisoner to take his trial. Charles, who thought the communication indiscreet, but not criminal, had not as much honourable feeling as instantly to dismiss an accusation which he perceived to be both malicious and trivial, but ordered Lorn to return to stand trial before the same tribunal that had so iniquitously condemned his father; and it was only through the earnest entreaty of Lauderdale, who offered himself personally, as his bail, that he was not sent down as a prisoner, and that the king, in anticipation of the issue, transmitted express instructions, forbidding any sentence from being executed till he saw and approved of it. Lorn, aware of the inutility of any defence, made none: in a long speech in mitigation, he recounted the persecutions he had received, the attempts that had been made to ruin him with the king, and the libels that had been printed against him; and appealed to the court, whether it was not natural for him, in writing to his friend, to express himself warmly; while he protested, he meant no harm to any person, his intention being to refute the lies of others, not to be guilty of forging falsehood himself; and he threw himself upon the justice of parliament, and the mercy of the king. The parliament found him guilty of death; but though the king saved them from the crime of his blood, no pardon could wipe away the infamy and degradation they incurred by their verdict.

He is accused of leasing-making

Found guilty—pardoned.

xxxvi. Tarbet had succeeded to the utmost extent of his commission; not only was the exception granted, but, without acquainting Lauderdale, the king wrote to the commissioner an order for five resident Scottish counsellors at Whitehall, and left their nomination to him. The fall of the secretary seemed certain, when his enemies saved him, by their anxiety to make assurance doubly sure. Afraid openly to attack the present ministers, by proposing their

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1662. Balloting act,

names in parliament, an act was framed for incapacitating twelve persons by ballot; the members were to give in their lists in a borrowed hand, these lists were to be scrutinized by a secret committee in the exchequer chamber, and after the number was agreed upon, the billets were to be burned, and the names of the balloted to be concealed upon oath. When the act was preparing, the commissioner procured the lists to be so framed, that the earls of Lauderdale and Crawford were included among the exceptions; and immediately upon its being voted, ratified it by the touch of the sceptre, without ever consulting the king upon the subject. So anxious had he been to prevent any notice reaching court, that every avenue was stopped, and every precaution taken to prevent its transpiring; but the gratitude of Lorn eluded the vigilance of Maitland, and Lauderdale was acquainted with the whole before any official information was received. That able politician communicated his intelligence to Charles in a manner the best calculated to produce irritation :—"Other commissioners," he said, "used to consult their master before they sanctioned even common acts of parliament; but here the commissioner had not so much as asked his majesty's advice in putting his own servants from him." Clarendon, when he first heard it, imagining that it was a device of Lauderdale's to hurt Maitland, decidedly condemned it as an invasion of the royal prerogative, and a mean by which his majesty's most loyal servants might be ruined. The king himself, perceiving that all parties reprobated the proceeding, received the deputation sent by the commissioner with the act, very coolly, threw it into his cabinet, after looking it over, and said, "he would not follow the advice of his Scottish parliament, but he would not disclose their secret."

ratified by Middleton.

Representation of Lauderdale.

Thrown aside by the king.

XXXVII. The estates rose in the month of September; and next day the council issued an order for the diocesan meetings to be held throughout the kingdom on the second Tuesday of October, in the southern, and the third Tuesday, in the northern division. In the north, their injunction was pretty generally obeyed. In the south and west, particularly the west, very few of the ministers attended the bishops although the men high in office endeavoured by their exam

Order for diocesan meetings.

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ple to induce them to comply. They continued in the regular exercise of their ministry; but the dissatisfaction was universal, and the determination to refuse taking oaths, which they considered unlawful, was wonderfully strengthened by the sublime and impressive spectacle their brethren in England afforded, of three thousand ministers in one day* giving up their livings rather than submit to violate their consciences. Middleton, released from his legislative cares, about this time made a tour to the west, accompanied by a quorum of the privy council; their progress was marked by the most revolting debauchery: and in a district hitherto distinguished for peculiar sobriety of manners, they exhibited scenes of unhallowed mirth, beyond the licentiousness of common profligates. At Glasgow, the bishop—Fairfoul—complained to the commissioner that the act of parliament had been little regarded; that none of the young ministers had acknowledged him; and that he had all the obloquy, without any of the power of his station. Force was the only remedy that occurred to the prelate, or to his grace; and an act of council was framed at a meeting where only two of the members were sober, by which all the ministers who had entered upon cures since the year one thousand six hundred and forty-nine, and had not regular presentations, or who should not have received collation from bishops, were ordered to be deprived of their stipends due for the past year, to leave their dwellings with their families, and forbidden to reside within the bounds of their respective presbyteries. Lockhart of Lee alone protested against this rash step, as more calculated to increase than allay the public hatred at the bishops; and asserted that the young ministers, before they would acknowledge and submit to episcopacy, would suffer more than the loss of their stipends.† Middleton, who had no idea of men with families voluntarily throwing themselves upon the wide

Disregarded in the south and west.

Glasgow act of council enforcing submission to the bishops,

* St. Bartholomew's, August 24th, 1662, when the act of uniformity was enforced.

† Burnet says, the duke of Hamilton and Lockhart of Lee. Vol. i. p. 223. Kirkton asserts, there was only one, Lockhart of Lee. Hist. p. 149. Wodrow mentions, that in the register the act stands signed by the duke of Hamilton and all the council, except Lockhart of Lee and the laird of Blackhall. Vol. i. p. 195.

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world without any settled dwelling-place, merely for the sake of a good conscience, disregarded the warning, and, to the regret of the wisest supporters of prelacy, persisted in enforcing the provisions of the act with the utmost rigour. To his utter astonishment, upwards of three hundred chose rather to be ejected than comply. Turned out of their homes in the depth of winter, and deprived of their stipends, they exhibited to their disconsolate congregations a firmness of principle which elevated their characters and endeared their ministrations; while it excited an invincible hatred to the intruders who succeeded them, and an utter detestation to a church polity ushered in by such manifest iniquity. Sensible of their error, by the wide desolation which covered the country, the council, on their return to Edinburgh, endeavoured to retrieve it: the archbishops were summoned to the capital to assist with their advice: and a proclamation was issued, allowing all the ministers who had lost their livings under the Glasgow act of council, liberty to obtain presentations from the patron, and collation from the bishops, before the first of February, one thousand six hundred and sixty-three. Non-compliance was threatened with severer punishment; and to evince the sincerity of their threatenings, the council banished several of the most eminent of the old ministers who refused to take the oath of allegiance, unless they were allowed to explain it so as to exclude an express acknowledgment of the king's spiritual supremacy.

Desolates the church.

Proclamation intended to remedy the evil.

Ministers banished.

xxxviii. These were Middleton's last acts in Scotland: Lauderdale's superior genius, ever on the watch, obtained the ascendant, and the commissioner was ordered to London to stand on his defence. He was accused of having practised deception, both upon the king and the parliament; of having exceeded his instructions in passing acts of high importance without consulting the king; and, in one instance, of touching with the royal sceptre an act, which took from his sovereign the power of pardoning the sins of those forfaulted in last parliament, "yea, and declaring his royal pardon, if he should sign any, null and void!"* of allowing the

Middleton called to London.

Charges against him.

* This refers to an act of unexampled severity, entitled ane act anent the children and posteritie of forfeited persons, in which it is provided, "That any person whatsoever shall offer to trouble his majesty with, or offer any

icape for money, and fining the loyal and the in- having mismanaged the public money, and em- iimself to name a receiver of the fines which be- e king; but above all, of having sullied his majes- is attribute of mercy, for which he was celebrated t Europe, by introducing a species of ostracism, a condemning the first ministers of the state by bal- ved from the Athenians, who were governed by lord—the people—and their oyster-shell billeting, known under any monarchy; a method by which ent, more severe than death, was inflicted upon y's servants, without accusation or trial, by the lice of their enemies, without affording them the istification, and withholding from their royal mas- ortunity of ascertaining their crimes, or exercising ative.* The commissioner, in reply, passed over ly the other charges, and anxious only to repel His reply. iching on the royal prerogative, by the act of bil- ged;—that although the act was passed, it was not on his majesty, as it had never been published, ot so much as recorded; and unless he approved and must ever remain a dead letter. Clarendon, Defended by Clarendon, &c. ishop of London, and the whole of the party, ex- dministration of Middleton—his bold and admira- es for the establishment of episcopacy, the merit ught to extenuate one error—if it were one—into iad fallen, from his eagerness to serve his majesty. cretary had infused doubts into Charles' mind, Lauderdale excites the king against him. etite for money was as craving as the commission-

titions, or desires, in behalf of any of the persons who are, or guilty of such hie treason, or their children or posterity, for on, or being rendered capable to enjoy any future possession or i the samen; every such person so offending, is to be punished as ect." Acts of Parl. of Scot. vol. vii. p. 418. A prohibitory act, alty, might extend to any arbitrary punishment less than death. Vorks, vol. i. This act was repealed next session, not however, its injustice, but at the desire of Lauderdale, to affront Middleton. ge Mackenzie styles this accusation, the great masterpiece of ife. Hist. p. 78. And Mr. Laing characterises it, as written and eloquence, seldom to be found in state papers. Hist. vol.

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er's, and assailing him artfully, at once by his jealousy power and his avarice, he succeeded in shaking his confiden in Middleton; for one of his favourite maxims was, that man was honest but from interest.*

xxxix. While Charles wavered, Lauderdale, by a sk ful manœuvre, roused the intemperate rage of his rival, a availed himself of his imprudence to complete his overthro He induced the king to send a mandate to the Scottis council, [January, twenty-third,] forbidding, by virtue of hi prerogative, their exacting the first moiety of the fines unti his pleasure should be known, and discharging the collecto Middleton had appointed. Middleton, who perceived tha this blow would effectually destroy his interest in Scotland by showing his friends his incapacity to reward them, wrot a letter to the chancellor countermanding the royal order and the council, upon receipt of it, recalled the proclamatio they had prepared in obedience to his majesty. No soone did Lauderdale learn this than he went to Charles, and tol him that now Middleton, and not he, was king, for he coul recall his majesty's express warrant by his own private in

Charles forbids the exaction of the fines.

Middleton counter-mands this order.

* It is highly amusing to observe the equanimity of manner with whic Lamont notes in his diary the most important and most minute subjects—th fall of a statesman, or the movements of a mountebank: all are narrated wit the same gravity; only the latter, printed on the same page, appears the mos important transaction of the two, by the length of the description. Middle ton's dismissal is finished in three lines; the other proceeds thus:—"Ponten the mountebancke, was now the third tyme in Scotland, viz. 1 in anno 1633 2 in anno 1643, and now in anno 1662 and 1663. Every tyme he had hi publicke stage erected, and sold thereon his droggs to the peopell, the firs tyme, for 1 lib. price, the second tyme for 1 lib. 9s. the third for 18 pence Each tyme he had his peopell that played on the scaffold, one ay playing the foole, and ane other, by leaping and dancing on the rope, etc. The two last times he was hire, both his prented peapers and his droggs were one and the same. The last time he was hire, he was at Edenboroughe, Stirling, Glas gow, Perth, Cuper of Fyfe, and St. Androus; and in the end of December, and the tuo part of January, 1663, he had his stage at one and the same tyme at Cuper and St. Androus, viz. at St. Androus, on Moneday and Saturday and att Cuper on Tuesday, Wednesday, and Thursday. About the same tyme, ane other mountebancke, a High German, that came to this kingdom, that had the like sports and commodities, for to gaine money. He was att Edenboroughe, in like manner twyse, as also at Aberdeine and Dundie: he likewyse, had the leaping and flying rope, viz. comeing down ane high tour, with his head altheway dounward, his armes and feite holden out all the tyme, and this he did devirse tymes, in on afternoon." Lamont's Diary, p. 198.

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structions. Indignant at this encroachment upon his authority, the monarch sent for Middleton, who pled in vain a verbal consent of his majesty: the king had either forgotten, or did not choose to remember the circumstance, and in a few days dismissed him from all his offices. The governorship of Edinburgh castle was given to Lauderdale, and Rothes was appointed commissioner. It frequently happens in political changes that the ostensible are not the real causes; in this revolution Lauderdale is said to have owed much to the reigning mistress, the dutchess of Cleveland; and Rothes strengthened his interest by promoting a marriage between James, afterwards duke of Monmouth, the king's favourite bastard, and his own niece, the dutchess and heiress of Buccleugh.*

Dismissed from all his offices.

Rothes appointed commissioner.

XL. Middleton, after lingering in obscurity for some time, was sent into a kind of honourable banishment as governor of Tangiers; where, falling down a stair in a fit of intoxication, he broke his arm so severely, that the bone protruded through the flesh, and penetrated his side: a mortification was the consequence; and it has been noted by some historians as a remarkable retributive coincidence, that the right hand that was the ruin of his country, was the means of his own destruction; and he who had exiled so many of the worthiest of his countrymen, himself died a stranger in a foreign inhospitable land.† His administration had been so

Middleton sent to Tangiers.

His death.

* Besides, Lauderdale employed another stratagem, under pretext of consulting about the contract of this marriage; he caused his friend, sir John Gilmour, president of the court of session, to be called up to London, who, "Being warmed with a kind collation," was introduced to the king, and "did complain to his majesty with tears, of Middleton's rash and illegal actions," "which," it is said, "had the greater impression upon his majesty, that he was figured to the king, as a person, who had been an eminent royalist and sufferer, and that he wept for joy, when he spoke to his majesty. M'Kenzie's Hist. p. 114.

† Wodrow mentions, that he had from good authority, that in the times of the covenant, such was his forward zeal for it, that coming out of the place here he and others had taken the oath, he said to those who were with him, 'This was the pleasantest day he had ever seen, and if ever he should do any thing against that blessed work he had been engaging in," holding up his right arm, "he wished to God, that might be his death." The story is not unlikely; when men engage in religious associations from political motives, they usually exhibit a much more fiery zeal, and profess a more outrageous affection for the object, than those who do so from purer principles.

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infamous that his disgrace was hailed as a national deliverance; but the rejoicing was only of short duration.

1663. Lauderdale obtains the direction of affairs in Scotland.

XLI. Lauderdale, who now succeeded to the uncontrolled direction of Scottish affairs, had been a zealous covenanter, and a strict professor; but, seduced by his ambition, and corrupted by the court, he had apostatised from his religion, and shaken off his unfashionable morality; and was obliged to evince the reality of his change, by his profligacy of manners, and his subservience to the episcopalian clergy, of whom the majority, like himself, were presbyterian renegadoes.

Bishops' curates intruded on the vacant churches.

XLII. During the winter and spring, almost all the churches in the west having been deprived of their ministers, a requisition was made on the north to supply the deficiency; and as the livings were in general comfortable, and the bishops not over scrupulous in their examinations, a number of half educated young men, or immoral expectants, who had been excluded by the strictness of the old discipline, were induced to enter upon the vacant charges—for which they were as incapable as they were unwelcome—in face of the most violent opposition. In some places they were assailed by showers of stones; in others, the church doors were barricadoed so securely that they were obliged literally to fulfil and exemplify the character given in scripture of the spiritual thieves and robbers; and in all they were stigmatised as the "bishops' curates." Nor did their conduct tend to reconcile the people to the manner of their introduction; even an episcopal writer acknowledges "they were ignorant to a reproach, and many of them openly vicious; they were a disgrace to the order and the sacred function."* In these circumstances, the people, deprived of instruction in the parish churches, deserted them, and wandered either to distant parishes to hear such of the old ministers as were not comprehended under the Glasgow act, or remained at home, and spent their silent sabbaths in musing on the dismal blank around them; unless when favoured with an opportunity of hearing their old pastors, who, during this period, commenced the practice of field preaching, which thus originated:—The outed ministers, as they were termed, denied the liberty of

* Burnet, vol. i. p. 229. Kirkton, p. 160.

pulpits, lengthened their family devotions; and the
: flocked to these exercises in such numbers, that they
nduced to turn their expositions into sermons, and
the houses became unable to contain them, they first Origin of field preaching.
ıed without doors to those who were gathered around,
fterwards, as the congregations increased, some of
went to the fields; where crowds were attracted
ıll the neighbouring parishes. These conventicles had
sed, and were increasing to a degree that seriously
ed the prelates, when the time for the meeting of par-
ıt brought the new commissioner to Scotland.

II. Afraid of fresh plots, Lauderdale accompanied him Lauderdale and Rothes arrive in Scotland.
journey, under pretence of examining into the question
ballot; but in fact to direct the whole government of
untry. At his entry into the ancient kingdom, a great
ırse met him upon the border; for besides the chief
f Fife, where his interest lay, all who expected advan-
ınd all who deprecated loss from Middleton's fall, were
to pay court to the ruling planet. But the first deed
viceroy showed that the presbyterians had gained no-
by the change. On the night of his arrival, a council
ımmoned at the abbey; where, after exhibiting his
ssion, he produced a letter nominating the archbishops
Andrews and Glasgow, and lord Hatton,* as mem-
on the same night, however, he granted a warrant for
release from his confinement in the castle, whither he Lorn released.
:en sent to await the king's pleasure. The chancellor
a fruitless attempt to unite Middleton's friends in 'an
ition, or at least to persuade them to vindicate their
cts, and try their strength in parliament, where he flat-
himself the late administration would be able to pro-
majority, or, in all events, muster so strong as to en-
ıem to retire with safety, if not with honour; but the
ected suddenness of the revolution confounded the ad-
:s of the fallen commissioner, and each, afraid for him- Middleton's party submits.
ıastened by an early submission, to make his peace with
igning favourite.

V. When parliament assembled, [June 18th,] before Parliament.

* Charles Maitland, Lauderdale's Brother.

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entering upon any other business, they surrendered wh little remnant of independence they had left, by reverting the old way of choosing the lords of the articles, and est blishing it by law. The clergy retired to the exchequ chamber and chose eight noblemen, and the nobility to t inner house of the session and chose eight prelates; whi being done, the clergy and nobility met together in the inn exchequer room, and having shown their elections to ea other, the persons elected, or so many of them as were pr sent, remained, and jointly made choice of eight barons an eight commissioners; who then presented the whole electio to his majesty's commissioner; and he, upon being satisfied returned to the parliament house, where the lists were rea and approved as a matter of course. From the servility c the bishops, who in fact had the nomination of the whol the choice of the lords of the articles was thus for ever fo mally vested in the creatures of the crown. Their next ste was one naturally and necessarily deeper in debasemen The king, in his letter respecting the balloting act, havin expressed his displeasure at the conduct of his parliament i presuming to prescribe to him, or to limit the exercise of hi royal clemency, they repealed the act; yet, with it standin on the record, where it is at this day, they disclaimed eve having done any such thing! "Your majesty," said they i their reply, "desiring to know the treuth from us, we finc by the unanimous opinions and votes of the house, that th parliament gave no warrand to desire your majesty that th act of indemnity should carry ane exception of incapacitatin from public trust, and that the parliament gave no warran at all in their names for your majesty's consenting to the in capacitating of a few!"

Lords of the articles chosen

by the servants of the crown.

Balloting act repealed.

XLV. Their other proceedings were in unison with this com mencement. The clergy, irritated at the people's refusing t hear the curates, procured an act, by which all ministers wh refused to attend the diocesan meetings were to be deprived and if after deprivation they dared to preach, were to be pu nished as seditious;—every nobleman or heritor who should wilfully absent himself from his parish church on Sabbath was to lose a fourth part of that year's rent in which the crim was committed; every yeoman or farmer, the fourth part o

Act against non-conforming ministers, nobles, &c.

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veables; and every burgess the same, besides forfeit- e freedom of the burgh, and such other corporeal pu- ent as the privy council might choose to inflict. The tion of the covenants was re-enacted under similar pe- ; and to crown the services of this parliament, an offer ade to the king, to raise twenty thousand foot and ousand horse, to serve in any place in Scotland, Eng- or Ireland; and all regulations respecting foreign imposing duties or restraints, were as an inherent pre- ve of the crown, committed without limitation into his ty's hands: which, being passed as a declaratory act, not be questioned without his majesty's special war-

Abjuration of the covenants re-enacted.

Offer an army, and surrender their every right to the king.

In virtue of this last enactment, numerous and s monopolies were granted; but such was the blind ty and unhesitating degradation of the majority in ile assembly, that the religion, liberty, and com- of the country, were, without debate, decreed to be dant on the will of the sovereign; who rewarded them, h slavish sycophants deserved to be rewarded, by mak- hem themselves feel the bitterness of that servitude ich they had reduced their country. It often affords solation to suffering humanity to observe, that the ns of arbitrary power are not unfrequently its ultimate s..

1. The execution of Johnston, lord Warriston, which lace during the session, casts an additional stigma on ssemblage, as an unnecessary piece of cruelty, to gra- e vindictive personal revenge of Charles, who never e him the freedom with which he had censured his gacy while in Scotland. Sir Archibald, after his escape, sided securely in Germany for two years; but having isedly gone to Rouen, in Normandy, the English court d him, and he was delivered up by the French king ir vengeance. As a convicted traitor he was marched eaded, from Leith to Edinburgh, his weak, enfeebled rance creating universal commiseration. When ht before parliament to receive sentence, his mind ap-

Warriston delivered by the French.

s of the Scottish parliament, vol. vii. p. 461. M'Kenzie's Hist. et seq.

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peared equally debilitated with his body; the excessi bloodletting he had undergone, followed by prescriptions had taken when under the care of Bates—successively ph sician to Cromwell and Charles II.—had reduced him to state of second childhood; and the man whose vehement an convincing eloquence had in other days commanded attentio and carried conviction to senates, could now scarcely utte a connected sentence. His memory had totally failed, and his spirits, overborne in the wreck of his faculties, were unable to sustain him; he wept, and knelt, and implored thei pity. Some of the members, struck with the melancholy reverse, voted for delaying his sentence; but Lauderdale, who knew the king's inveteracy, interposed, and silenced the voice of mercy. The night before his execution, he slept soundly, and awoke on the morning of that day, calm and composed; his recollection returned, and his deportment on the scaffold shed a splendour over the last scene of his suffering which his friends delighted to dwell on, and his enemies have endeavoured to dim, by describing his previous imbecility as the effects of unmanly fear. He was a person of a vigorous and acute understanding, possessed a ready and convincing eloquence, was well calculated for managing popular assemblies, and admirably adapted for methodising their proceedings, and carrying forward their business. His zeal for the cause of religion in public, was supported by exemplary devotion in private; and the only blemish which his enemies ever attempted to affix to his political character was, his accepting an office under Cromwell after having severely inveighed against him.*

His appearance before parliament.

His execution.

Character.

* The report that he was poisoned by Bates, was very current at the time and generally believed. Lamont's Diary, p. 206. Kirkton, p. 170. Wodrow, vol. i. p. 173. In the preface to the Apologetical Narrative, it is mentioned as a certain fact, nor is there any thing, either in the character of the physician or the king, to render it improbable. The assassin, Riardo, was received at the English court, and encouraged in his attempts against the republican exiles at Bern. Ludlow's Mem. folio, p. 395. A monarch, who could authorize the stiletto, would hardly hesitate to sanction the prescription of poison; and Bates is said to have allowed his friends to boast, that he helped to shorten Cromwell's days. Biog. Brit.—Scarcely any man of eminence fell this time, whose fate had not been the subject of prognostication in some or other; were not the following told with great gravity, we might be suspect it as intended to burlesque the propensity. "Before and after

parliament sat for the six succeeding years.* council had already usurped their authority; ıe long vacation, their arbitrary illegal acts ated, as of equal force with the statutes of the d violently carried into execution by the mili- ɣust, during the time of the session, upon their , they forbade all ministers who did not attend ourts, and yet persisted in preaching or hold- es, from residing within twenty miles of their es; within six miles of Edinburgh, or any ca- ı; or within three of any royal burgh; they every absentee from church in a fine of twen- :ots for each day's omission; rendered the at- ı meetings for religious exercises liable to the dition; and commanded all masters of families to cause their servants and tenants keep their es, or remove them out of their houses or lands, ɜ responsibility. Levying these fines was com- military, who were also the judges, the curates sers; but neither witnesses nor formal proce- :med necessary—to be accused was to be guil- e soldier appropriated the fine, it was exacted ', and often to double the amount of what was hese iniquitous laws. If any reluctance was y was quartered upon the recusants till they

Arbitrary acts of the council

barbarously enforced by the military.

there was a report noised abroad, said to be uttered by the :h, thus: "Full moon, full sea, great man shall thou be, bot dye!" Lamont, p. 206.

ions, however, met in the interval. These meetings, I need e reader, differed from parliaments in this, that conventions mbled for one specified purpose, whereas, parliament could y given subject. The first was held 2d August, 1665, on tch war, to give the lieges of Scotland an opportunity of tes- ɔr his majesty's service; and as there was no chancellor at hbishop of St. Andrews was nominated president by the :ed their loyalty by a grant of one hundred and thirty-three yearly for five years. The second sat down on the 9th which the duke of Hamilton was appointed president. They or one year, of three score and twelve thousand pounds rd the services of the standing army, which had so meri- itself in preserving the peace of the country, and putting at Pentland! Scottish Acts, vol. vii. p. 530, et seq.

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were eaten up; and, when nothing more could be
their goods were distrained and sold for a trifle: nu
industrious families were thus ruined, and scattered
gars throughout the country. Oppression was acco
by insult;—under the sanction of the worthless cl

Base conduct of the curates.

religious worship of poor families was ridiculed an
rupted, and they were dragged to church or to pris
will of a private sentinel. After sermon, a roll of
rishioners was called by the parson, and all absent
leave were given up to the military, who admitted o
cuse except a fine; and, in the wantonness of pow
made the present tenant, who temporised, pay, bec
predecessor had not been so compliant.

XLVIII. Different detachments were sent to the sou
the earl of Linlithgow and sir Robert Fleming; but

Sir James Turner appointed commander in the west.

scene of suffering was the west, where sir James Tur
commended by his desertion from the cause of the co
was instructed to see that the laws were regularly e
and the bishops and curates reverenced and obeyed.
rally fierce, he was furious when drunk, and being
that state he regarded neither law nor justice, but
the directions of Burnet, archbishop of Glasgow; o
he afterwards acknowledged, he was ashamed, alth
did not carry them to the extent which that prelate
Glencairn, the chancellor, when he supported episco
tended that it should be limited, and subordinate to
officers of the state; Lauderdale, who knew better tha
spirit of the system and its supporters, told him, sinc
for bishops, he should have them, and higher than e
were in Scotland. When too late, he found the pr
had proceeded upon a thorough knowledge of the m
fruitlessly endeavoured to mitigate the imperious pri
he had contributed to raise. Sharpe complained that
did not second the efforts of the ecclesiastics, and he,
ed with their intrusive ambition, complained of their
ties: the council divided, and the primate, who coul
no control, hastened to London to represent the re
of the nobles, and to raise the cry of—the church is in

* Burnet, vol. i. p. 309.

1664. Court of high commission again introduced.

XLIX. The English prelates had a fellow-feeling with their Scottish brethren, and supported Sharpe in his proposal to re-introduce into Scotland the court of high commission; which, amid all the restored abuses, had never dared to be hinted at in England. His majesty, on their united solicitations, consented, and, in virtue of his supremacy, authorized its erection; and to mark his sanction by additional honours, he ordered the archbishop of St. Andrews, who was named first in the commission, to take precedence of the lord chancellor.* The court consisted of nine ecclesiastical, and thirty-five lay members; of whom five, including one prelate, made a quorum. Their powers were of the most extensive nature; they could suspend or depose churchmen, take cognisance of all keepers of conventicles, all who preached in private houses, who kept meetings or fasts without license, spoke or wrote scandal to the detriment of the government, or expressed their dissatisfaction with the present acts about church affairs: they could fine or imprison all transgressors, and were authorized to do and execute whatever they should find necessary for his majesty's service. From their sentence there was no appeal; all magistrates and military were to execute their orders, and the lords of council to grant letters of horning upon their fines.†

Its extensive powers.

L. This court has been compared to the old lion's cave, the road to which was marked by many an entrant, but contained no vestige of a returning footstep: none escaped who

* The young Scottish nobility had sadly degenerated from the high spirit of their forefathers. When Charles the I. attempted to obtain for the primate, Spottiswood, only one day's precedence, the then lord chancellor, gave his majesty the retort courteous. "I remember," Balfour, lyon-king at arms, narrates, "that k. Charles sent me to the lord chanceller, (being then earl of Kinoule,) the day of his coronatione, in the morning, in Anno. 1663, to shew him, that it wes his will and pleasure, bot onlie for that day, that he would cced and give place to the archbishope; but he returned by me to his majestie a verey bruske answer, which wes, that since his majesty had beine pleased to continew him in that office of chanceller, wich, by his meines, his worthy father of happy memorie had bestowed wpon hime, he was redy, in all humility, to lay it doune at his majestie's feet, but since it was his royal will, that he should enjoy it, with the knowen preveledges of the same, neuer a ston'd priest in Scotland should sett a foote before him so long as his blood wes hott." Annals, vol. ii. p. 142.

† Burnet, vol. i. p. 306–7. Wodrow, vol. i. p. 192–7.

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1664. Iniquity of its proceedings.

appeared before it; the formality of evidence was dispensed with; and if any of the accused were prepared to prove their innocence, the investigation was stopped, and they were entangled by ensnaring questions, or required to take the oath of supremacy, and acknowledge the spiritual power of the king. The lay members endeavoured to introduce some legal forms, but the primate considered this as a betraying of the church; and Rothes supported his tyrannical violence, which soon overstepped every boundary of law. The fines were frequently doubled, and corporeal inflictions were added to pecuniary mulcts; every trifling riot which took place at the settling of a minister was construed into a seditious assemblage, and respectable persons, in the middle ranks of life, for expressing their disapprobation a little too roughly, and boys for petulantly throwing a few stones, were imprisoned, publicly whipped, branded, and sold as slaves to the plantations. If the churches were empty the jails were full; till the people, preferring voluntary exile to foreign bondage, fled in numbers to Ulster, where they enjoyed, at least, a comparative tranquillity; or, if they remained at home, allowed themselves to be outlawed, rather than appear in such a court. At length, the nobility, ashamed of their own subservience to clerical revenge, refrained from attending any meetings of the commission, and at the end of about two years, this inquisitorial tribunal expired. Such was the general contempt into which it had fallen, that for some time before it dissolved, the bishops could neither procure judges to sit, nor parties to appear.*

People emigrate to escape from it.

It expires.

Glencairn dies.

LI. Not long after, Glencairn died; and Sharpe, who eagerly grasped at every preferment, anxiously wished to engross the chancellorship, as it had been formerly held by a churchman. In an interview with the king, he represented strong-

* The records of this nefarious court have been lost or destroyed; but instances of its arbitrary proceedings have been preserved sufficient to justify the terms of detestation in which it is mentioned by all our historians. Kirkton styles it a hermaphrodite court. The Apologetical Relation, a monster of judicatories, having two bodies under one head, and each changing their nature; dukes and lords exercising the clerical function of excommunication, and clergymen inflicting the civil penalties of imprisonment, confiscation, and banishment. Kirkton, p. 205–11. Apologet. p. 320.

cessity, in such times, of that office being held by who was episcopal in heart, although not in clothes; essed his own intention of refusing it, had it been im:—then went straight to Shelden, bishop of whom he requested to point out to his majesty the of bestowing it upon him. Shelden did so, and king told him the primate's previous conversation, only request his majesty to respect the archbi- pardon the man. He said he would do so; and rpe returned, desired him to point out a noble- er to fill the situation. He named Rothes to fill *pore*, to which his majesty consented.* He was ommander-in-chief of the forces, by sea and land. , rather than take the oaths, had resigned the s staff; this also was bestowed upon him: he was cellor *de facto*; and afterwards continued as com- for an indefinite time—the first instance of such a cotland. This accumulation of places in one per- egarded as extremely invidious, while there were claimants who had a preferable right, and the coun- ed so few offices of profit. But his devotion to epis- is a reccomendation to the king; and his ready e with their worst measures recommended him to os. Fletcher was, during the course of the year, from being advocate, on a charge of bribery; and Nisbet, a still more severe persecutor, appointed in

Rothes appointed chancellor and treasurer.

nid these changes, no change took place in the pub- res for enforcing obedience to the prelates. Tur- nued his expeditions to the west, as if he had been an enemy's country; and every succeeding incur- marked by increasing barbarity. The mass of a e seldom sufficiently enlightened to be actuated by principles either of religion or liberty; and when e visits a nation with these blessings, or designs to them, it is commonly done by raising up a few emi- rtors of the cause, whose influence, talents, or ex- mmand the acquiescing concurrence of the multi-

Turner's proceedings in the west.

* Burnet's Hist. vol. i. p. 305.

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tude; and when they are removed, the facility with which a majority pass to the opposite extreme would appear incredible, did not the uniform history of all revolutions so fully attest it. After the removal of the ministers, the people were returning to their parish churches; "and the curates' auditories," says a cotemporary presbyterian author, "were reasonable throng, the body of the people, in most places of Scotland, waited upon their preachings." Had they been content to have allowed the more conscientious to worship apart without disturbance, it is probable they might have succeeded in establishing episcopacy as the national church; but they were determined to force it upon all; and they roused the country, which might otherwise have subsided into indifference, to a state of active opposition, and absolute abhorrence of prelacy; and estranged the men of interest and influence, by the insanity of their procedure, from the government which authorized them. As the influence of the high commission began to wane, the privy council, of which Sharpe was now president, became more relentless and oppressive; and it is a melancholy fact, which forces itself upon our observation at almost every turn in the history of Scotland, that the courts became despotical according as the clergy obtained sway, and cruel in proportion as they were under the direction of those who ought to have been the ministers of mercy. Their acts were now enforced with greater rigour.

Proceedings of the council more despotic.

LIII. It had been rendered criminal to attend private prayer meetings with the outed ministers, or to render them the smallest assistance; and as their support was chiefly derived from the contributions of the people, collections were forbidden, under the severest penalties, yet the proclamations had been evaded or despised; and in the south and the west Welsh, Semple, and Blackadder, not only kept frequent conventicles, exhorted, baptized, and prayed in private houses, but collected multitudes in the moors and on the hills, and had the audacity to preach the word of God, without the prelates' license.

Outed ministers hold conventicles, &c.

LIV. These appearances were not only irritating, but alarming. The bishops, conscious that they deserved to be resisted, while they zealously inculcated passive obedience, disco-

their fears by their attempts to suppress discussion upon ıbject, and to render the people incapable of resisting. r. Crookshanks had translated into English Buchanan's se, *De Jure Regni Apud Scotos*, of which a few copies ıeen handed about in manuscript; these were ordered oclamation, to be delivered up to the clerk of council, · pain of sedition. About the same time, an Apologe- Relation of the sufferings of the faithful ministers and ssors of the church in Scotland, since the year one and six hundred and sixty, said to be written by Mr. n of Wamphray, and printed in Holland, a small work, ining a clear, pointed, unanswerable defence of their ıct, was imported and circulated. It had the honour ing condemned to be burnt by the hands of the com- hangman, a distinction the writer himself had antici- ; and all who had copies were ordered to give them the next magistrates by a certain day, after which, if f them were found in their possession, a fine of two and merks was imposed. It had the usual effect of proclamations; the book was more extensively circu- , it became known where it never before had been heard ıd acquired a weight in proportion to the severity of its ibition.* Warriston's speech also, was declared sedi- forbid to be dispersed, and the printers ordered to be isoned. Aware of the importance of securing the at- nent of youth to the principles, of which in after life were to become the propagators and support, the coun- ndeavoured to gain them over to prelacy—not by ap- ing able teachers to the universities, the plan pursued e presbyterians, but by an order, obliging all students, e they obtained their degrees, to subscribe the oaths of ance and supremacy; introducing political disabilities ademical honours, and imposing tests upon boys before could be supposed to understand them; a plan, of ı it is difficult to say, whether it be more detrimental e cause of learning or of morals.

Apologetical Relation, &c. burned.

Tests administered to boys.

. The Scots had always been accustomed to carry arms, vhen summoned to the field, brought with them their

* Preface to Apol. Relat.

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own accoutrements. The strength of Scotland consisted in its militia peasantry, nor till of late, had mercenary soldiers been ever known in the country: in consequence, there were few families unprovided with weapons. But it is dangerous to exasperate a people who have means of defence. The western counties were therefore disarmed, under the pretext, that they would join the Dutch, with whom Charles was now at war, and twenty of the leading gentlemen, without the shadow of a crime, thrown into prison; preparatory to new and more devastating expeditions. The third under sir James Turner, in the year one thousand six hundred and sixty-six, continued seven months. On former occasions, there had been some mercy shown, and the gentlemen of the county had been exempted from the brutal insolence of common soldiers; but now the curate, attended by two or three of these executioners of the council, fined all indiscriminately; the landlord, if his wife, servants, or tenants, were absent from the parish church; and the tenants, if the landlord withdrew, although they themselves individually attended. The aged and infirm, the widow and the fatherless, were robbed, and even he that subsisted upon public charity, was forced to beg, to satisfy the demands of the conjoined clerical and military ruffians. If quartered where the host was too poor to pay, and his furniture neither worth selling nor carrying off, it was rendered useless, or burned on the spot. Besides these fines, the gentlemen were unexpectedly called upon to pay those which Middleton had imposed, and which Lauderdale had obtained a temporary popularity by causing to be suspended; but now, when his own creatures were in power, he procured them to be levied to the uttermost farthing, by troopers, who at the same time exacted riding money for their trouble, sometimes to a greater amount than the sums themselves. No excuse was admitted, and if the oppressed complained to the officers, they were ill treated; and if to the government, they were neglected. All the consolation the people had, under such enormous extortions, was, that the money thus raised did not go to enrich those who were the primary causes of the mischief. Middleton's friends were disappointed by his fall, and now it was taken from Lauderdale to pay an additional army, which the fears

The western counties disarmed.

Turner's third expedition.

Lauderdale imposes the Act of Fines with more rigorous exactions.





he prelates rendered necessary, and which was intrusted he command of lieutenant-general sir Thomas Dalziel Binns, a demi-savage, whose native ferocity had been im- ved in the Muscovite service—at that time the most bar- ous in Europe*—and general Drummond, who had also n trained in the same school.

Dalziel and Drummond commanders.

VI. Scattered over the country, and persecuted in every ection, it is astonishing that those, who were thus render- outlaws by the crimes of their rulers, did not sooner turn despair and wreak their vengeance on their satellites. The ng, however, which derives its name from the place where so disastrously terminated, was purely accidental in its nmencement. Four countrymen, who had been chased m their homes, and forced to seek refuge among the sses and mountains of Galloway, returning from their king holes to procure some provisions, met, on the high- y near the village of Dalry, some soldiers driving before m a few of their neighbours, to compel them to thresh

The people rise.

Cause of the rising.

* He [Dalziel] was bred up very hardy from his youth, both in diet and thing. He never wore boots, nor above one coat, which was close to his y, with close sleeves, like those we call jockey-coats. He never wore a ike, nor did he shave his beard since the murder of k. Charles I. In my e, his head was bald, which he covered only with a beaver hat, the brim hich was not above three inches broad. His beard was white and bushy, yet reached down almost to his girdle. He usually went to London once wice a year, and then only to kiss the king's hand, who had a great esteem his worth and valour. His unusual dress and figure when he was in Lon- , never failed to draw after him a great crowd of boys and other young peo- who constantly attended at his lodgings, and followed him with huzzas as went to court, or returned from it. As he was a man of humour, he would ays thank them for their civilities, when he left them at the door to go into king, and let them know exactly at what hour he intended to return to his ings. When the king walked in the park, attended by some of his cour- s, and Dalziel in company, the same crowds would always be after him, wing their admiration of his beard and dress, so that the king could hardly on for the crowd; upon which his majesty bid the devil take Dalziel, for ging such a rabble of boys together, to have their guts squeezed out, while gaped at his long beard and antic habit, requesting him, at the same time, Dalziel expressed it,) to shave and dress like other christians, to keep the r bairns out of danger, all this could never prevail on him to part with his d; but yet in compliance with his majesty, he went once to court in the height of the fashion; but as soon as the king, and those about him, had hed sufficiently at the strange figure he made, he re-assumed his usual ha- to the great joy of the boys, who had not discovered him in his court dress." pt. Creichton's Memoirs.

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out the corn of a poor old man who had fled from his home, in order to raise as much money as would pay the church fines. They sympathised with their fellow-sufferers and passed on in silence; but when they were seated in the village, they were informed, that the soldiers had seized the poor old man, and were about to strip him and place him naked on a red hot gridiron, on which they immediately went to the place and desired the soldiers to desist; this the others contemptuously refused, and high words ensued; the soldiers then drew, and were about to assault the countrymen, when one of the latter, who had a pistol, fired and wounded one of the soldiers with a piece of a tobacco pipe he had used as a ball; on which the arms were immediately surrendered, and the prisoner set free.

Its progress.

LVII. Once engaged, the countrymen, who knew they could only expect from the commander terrible vengeance, determined to prevent it; and being joined by some others, proceeded to where a small party of military were stationed, disarmed them, and their ranks swelling as they went, they marched to Dumfries, in which they surprised and took sir James Turner prisoner. So unconcerted, however, and so ill planned were their motions, that when they seized Turner's papers, together with the pay lately remitted from Edinburgh for the troops, and the proceeds of the fines recently exacted, they intrusted the charge of the money to a stranger, one Andrew Gray.* From the general discontent of the country, they had expected a great rising of adherents, but the want of arms and of leading men were severely felt; for during the whole time they remained in Galloway, their numbers never exceeded three hundred, and none of them persons of sufficient rank to command that

Take sir James Turner prisoner.

* Gray is styled by Kirkton, an Edinburgh merchant. In the description of Galloway, by Andrew Symson of Kirkinner, he is stated to have decamped the succeeding night, carrying off all the money and baggage, seized with sir James Turner, which, however, is not very likely, as he is mentioned in the Life of Mr. William Veitch, as having been supported by him at Newcastle not long after; indeed the cash taken, must have been extremely little, whatever became of it, as Turner had sent off the greater part of his plunder a few days before to Glasgow: another proof, if any were wanted, of the rising being entirely accidental. Memoirs of Veitch, p. 49. Memoirs of Rev. John Blackadder, p. 136, et seq.

plicit obedience, so necessary, but so seldom found in a omiscuous assemblage of raw countrymen.

LVIII. When the first news of the commotion reached linburgh, Rothes was in London, and Sharpe, as president the council, was thus at the head of the executive. His urlike commands excited dissatisfaction among some of the bles, who, now sensible of their degradation, while they urmured curses, asked, if there was no one in Scotland to ve them orders at such a juncture but a priest? He in-ntly summoned a council, who sent to London by express e most exaggerated accounts of the affair, while the scale their preparations proclaimed the extent of their fears. l the noblemen in the south and the west were ordered to ld themselves in readiness to join the royal forces. Dal- l was despatched with his army to establish his head-quar- s at Glasgow, where the country around was ordered to me in to him; and whence he was to march to wherever e insurrection had attained its greatest height. To secure e metropolis, the guards were doubled, and all the fenci- e men enrolled. All ferries upon the Forth were stopped, d all the passengers at Stirling bridge closely examined. he earl of Wemyss, lords Newark, Melville, and Bur- gh, were, at the same time, summoned, with their friends d followers, horses and arms, to defend the town of Edin- rgh.

Measures to suppress it.

LIX. Meanwhile, the friends of the insurgents at Edin- rgh, upon receiving the intelligence, met also to deliberate; d the result was, that it appeared to be their duty to assist eir poor brethren, so cruelly oppressed. Colonel James Wallace and Mr. John Welsh, minister, with several others, stantly set off to join them, and found them at a rendez- ous, at the bridge of Doon, in Ayrshire; but were sorely sappointed on learning that such men of influence as had t been put in prison had gone to general Dalziel, and that e majority of their friends in that country were averse to e attempt, as ill concerted, ill timed, and not likely to be ccessful. Colonel Wallace was chosen to command; and e Whigs, for the first time, assumed the shape of an army, appointing officers and setting guards. Perceiving here,

Insurgents formed into an army

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too, that they could expect no assistance, they directed th course towards Clydesdale. Near Cumnock they hea that a party, on the road to join them, had been dispers by the duke of Hamilton's troop of horse, and that the en my was approaching. Upon receiving this intelligence, th

Advance to Kyle.

pushed forward to Muirkirk of Kyle, across a long moo rendered intolerably deep by the rain, which had descend upon them in torrents during their whole march. Cover with mud, and drenched to the skin, their only quarters the night was a cold church, nor was a morsel of meat be procured. Here Mr. Andrew M'Cormock, an emine

Advised to disperse.

Irish presbyterian minister, brought them information th their friends in several places had failed in collecting any enforcements, and urged upon colonel Wallace the propri of dismissing the people as quietly as could be done. Th the colonel could not of himself undertake; but called

Hold a council of war.

council of war, to whom he proposed the question, whethe they should scatter or continue in arms. On the one sid the strength of the enemy, their own feeble band—whic from the dispirited state of the country, was not likely to b augmented—and the advanced season of the year, were stat ed as reasons for dispersing. On the other, were pled, thei own full persuasion of the justice of their cause, their con scientious sincerity in seeking only the deliverance of thei country from the horrible oppression under which it groan ed, by laying their grievances before government, and pray ing redress; and their firm belief that no representation would be attended to unless from men in arms. The rea

Determine to proceed.

sons for proceeding prevailed; and—with a self-devotion the value of which, in keeping alive the spirit of liberty in the country, it is impossible to estimate—they resolved tha they would act for the glory of God, and the cause of reli gion and liberty, and were not unwilling to die as sacrifices for them; yea, they would esteem a testimony for the Lord and their country a sufficient reward for all their labour and loss. In the same council—with a humanity which does them the greatest credit, and appears to greater advantage when contrasted with the conduct of their persecutors—they rejected a proposal for putting sir James Turner, still

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carried prisoner with them, to death, as a murderer: it appearing, that severe as his conduct had been, the instructions he received from the bishops were far more barbarous.

LX. At Lanark, on Sabbath after sermon, they renewed the covenant, and their numbers were estimated at about three thousand—the utmost they ever reached; but they were only half armed, half officered, and totally undisciplined. The approach of Dalziel next day induced the presbyterians to march eastward, than which they could not have adopted a more fatal determination—but they had been deceived with respect to the number and power of their friends in the Lothians;—and they left a district, where, if defeated, their flight would at least have been favoured, for one where all was hostile; and nothing but victory could have preserved them from ruin. By this time Edinburgh was shut against them. The provost, sir Andrew Ramsay, their active enemy, had planted cannon at the gates; the advocates were in their bandileirs;* almost every inhabitant in arms; and the heritors of Merse, Teviotdale, Tweeddale, and the forest of Ettrick, were raised as an additional defence. They thus, in retreating from one army, advanced upon another; and both superior in every thing to their own but in courage and attachment to their cause. They broke up from Lanark and marched for Bathgate, through rugged and almost impassable moors, during a tempestuous day, which was succeeded by a rainy night. When arrived at that village, wet and weary—having travelled two hours in the dark—they could find no accommodation, and were compelled, by an alarm from the enemy, to recommence their fatiguing journey about midnight. On the morning, their muster at New Bridge presented the wretched appearance of a faint, hungry, worn-out crowd, rather than the semblance of an army. During this terrible night they lost nearly half their numbers. Hence they advanced eastward; but when they halted at Colington, a short distance from Edinburgh, they perceived the fallacy of all their hopes: and upon the arrival of Laurie of Blackwood, and the laird of Barskimming, who brought them

Renew the covenant,

and set out for the Lothians.

Their distressing march.

* Wooden cases covered with leather; each of them contained a charge of powder for a musket, of which the musketeer generally carried twelve, hanging on a shoulder belt.

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1666. Their communications with Dalziel.

Dalziel's promise for a cessation of arms till next morning, they consented to treat; and sent a letter to the general, containing a representation of their grievances, and desiring a pass for one of their number to carry their petition to the council. To this no answer was given; and colonel Wallace, who trusted little to the truce, meditated a retreat by the way of Biggar. From Colington, turning the east end of the Pentland hills, they marched to the House of Muir, and thence to a place named Rullion Green, where they drew up the remains of their body, not now exceeding nine hundred, fatigued, exhausted, starving countrymen.

LXI. With no immediate intention of fighting, but merely to review their companies, and prevent straggling, they waited to learn whether any reply was to be returned to their communication: but they were quickly called to make other arrangements. A clear frost had succeeded a severe fall of snow, when some of the scouts, about mid-day, [November twenty-eighth] brought intelligence that general Dalziel was coming from Currie through the hills. Colonel Wallace and his party awaited their approach in a line upon the back of a long hill, running south and north, low toward the south, but higher at the north, where it terminated somewhat abruptly. On the south were stationed a few Galloway gentlemen on horseback, headed by Maclellan of Garscob; in the middle, the poor unarmed footmen; and on the right, the greater part of the horse, under major Learmont. The situation was so well chosen that Dalziel lay for a considerable time on the hill opposite viewing it, till, at last, he sent forward a party of about fifty horse to attack them on the lowest extremity of the ascent. Wallace perceiving this, sent out a similar number under captain Arnott, who met them in the hollow, and, after exchanging shots, closed sword in hand, and forced them to return in confusion. Dalziel then ordered a charge upon the horse commanded by Learmont, which was equally well received, and also forced to retire; but advancing himself to a third attack, about sunset, with the whole of his troops, he fell upon the feeble right wing and centre of his opponents, who were almost instantly broken, and could never again rally. The slaughter in the battle was not great, nor in the pursuit, for darkness covered the fugitives; and the horsemen sent to

Battle of Pentland.

pursue, being chiefly gentlemen, had pity on their countrymen, in whose sufferings and sentiments many of them sympathised: about fifty were killed, and upwards of a hundred and fifty taken prisoners. Dalziel's loss was trifling in killed, but a considerable number were wounded. Some of the neighbouring rustics, less humane than the soldiers, intercepted and murdered several of the dispersed countrymen; but traditional stories of the supernatural appearances of heaven's displeasure, which marked the spots where some of these had fallen, long continued to express the popular detestation of the crime.*

LXII. Seldom, in civil commotions, are the sufferings in the field so distressing as the executions which follow; and never were these more revolting and relentless than in the case of the Pentland prisoners. Relieved from his terrors, the primate exacted a cruel revenge. When the prisoners were brought to Edinburgh, they were thrust into Haddo's Hole, to await their destiny: a few of the chief only, who were intended for immediate trial, obtaining the superior accommodations of the tolbooth. As they had surrendered upon promise of quarter, it became a question before the council, whether the public faith should be kept, or whether they should be proceeded against as traitors? It was in vain contended that the power delegated to the soldier in the field was as full as that to the council at their board; that the terms granted by the one ought as strictly to be observed as the pardons of the other; that civilians were decided in their opinions, that quarter to rebels ought to be kept; that this had been the practice in France, Holland, and in the late civil wars; and that none would accept quarter were it merely a reservation for a public trial. The quibble, however, of one of the council, that their being pardoned as soldiers did not acquit them as subjects, prevailed—and ten were sent to trial; among whom were major John Macculloch of Barholm, captain John Arnott, and two young gentlemen, brothers, the Gordons of Knockbreck.†

Treatment of the prisoners.

Debate in the council as to their disposal.

Ten sent to trial.

* Kirkton, p. 234, et seq. Wodrow, vol. i. book ii. chap. i. Burnet, vol. i. p. 341, et seq. Lamont's Chronicle, p. 244. Law's Memorials

† Naphtali, Hind Let Loose.

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1666. Condemned.

LXIII. The pleadings were long and ingenious; but the court sustained the relevancy of the indictment, and, coinciding in judgment with the council, the prisoners were sentenced to receive the doom of traitors: they all died with constancy, and left behind them an united testimony, which must ever exculpate them from the charge of fanatical rebellion. "They were condemned," they said, "by men, as rebels against the king; but this was their rejoicing, the testimony of their conscience, that they suffered not as evil-doers;" and they justified themselves upon the natural and imperishable rights of liberty of conscience and self-defence; "in opposition to which, the laws for establishing prelacy, and the acts, orders and proclamations, issued to enforce compliance, being executed against them by military force and violence, they, for their simple forbearance, were fined, imprisoned, exiled, scourged, stigmatized, beaten, bound as beasts, and driven into the mountains for their lives, by which hundreds of families were beggared, and the whole country-side laid waste; and all this arbitrarily, not only without law, and without respect to guilt or innocence, but in direct opposition to all conscience, justice and reason, and without regard had to the penalty specified in their own enactments; and, besides, all remonstrances against grievances, and petitions for redress, however just, being restrained by acts condemning all former remonstrances in similar cases, no remedy was left them but the last." They all rejoiced in a species of prophetical anticipation of deliverance for their country, and their last breathing died away in wishes for the welfare of Scotland. The heads of the sufferers were distributed throughout the country, but their right arms, because they had with uplifted hands renewed the covenant at Lanark, were sent to that town to point to heaven from the top of the prison. The effect produced by the dying declarations of such men, whose undaunted resolution on the scaffold gave them a solemn energy, was powerful; but it was deepened to a degree that was never eradicated by the sufferings of the next who followed.

Their dying testimony.

Execution.

LXIV. Nine of the first ten were public characters, or persons known beyond the private circles their virtues adorned; but the persecutors, enraged to find that the concurring of

risoners proved clearly that in this tumultuary rising is no settled plan of rebellion, that it originated sole- pression—which goads on the wisest to madness— a system of mismanagement, which they could not any government in Britain, however debased, would or excuse; were anxious to extort from some of the characters such a confession as would give at least lity to the terrific statements they had sent to court irst moments of alarm, justify the proceedings they opted, and the system of cruelty they intended to * The question was therefore introduced, and the hich for many years had lain unused in Scotland, ain resorted to.†

Nielson of Corsack and Hugh M'Kail were selected terrogated in this manner. Nielson had suffered the extremity of wretchedness, and might be supposed of entering into or devising the most desperate s; and, from the injuries he had sustained, he had the confidence of his associates, and, from the re- ility of his station, and his high character for piety, it ely that he was acquainted with all the springs and ents of the insurrection. He had been severely fined risoned; he had been forced to leave his home and in the mountains; sir James Turner had quartered liers upon him, till the stock of his manor was eaten lady and children were then turned naked to the of the elements, his tenants obliged to furnish the mi- ith sheep, lambs, oatmeal, and malt, till they too were and then every hoof that remained were collected,

Nielson of Corsack.

His sufferings.

guards in Edinburgh, who were not altogether fond of the duty, when pon archbishop Sharpe's house, were very regular in their alarms e night—every half hour one centinel would cry aloud so that the ight hear him, "stand;" another, "give fire," till at last he was "soe l every houre in the night for want of sleep, that he was constrained in the castle."—Kirkton, p. 55.

instrument of torture consisted of four pieces of narrow boards nailed and hooped with iron, of a competent length; in which, after the ac- l his leg enclosed, wedges were driven, and the limb compressed, with excruciating pain, till it frequently exhibited appearances too shocking ption. They had been employed in the examination of some of the respecting the burning of Freudraught Tower, when lord Aboyne g Rothmay perished. Vide vol. iii. p. 397.

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driven to Glasgow, and sold; nor was there exhibited against him one charge to authorize these cruelties, except that he would not conform to episcopacy, and regularly attend the preaching of a curate, contemptible alike for his dissolute habits and mean abilities; yet when sir James Turner was taken prisoner, and some of the poor sufferers, justly incensed against him, would have put him to death, Corsack interposed and saved him; and, amid the barbarity of the times, it ought not to be forgotten, that sir James made application, though in vain, for mercy to his preserver. Rothes, who had returned from London, was present at the examination, but all they could draw from him was, what he had uniformly declared, that the oppression of the country had caused the tumult; a declaration so unsatisfactory, though repeated amid the most agonizing shrieks, that the commissioner frequently called for the other touch.*

Tortured.

Hugh M'Kail's meekness under the torture.

LXVI. Hugh M'Kail, who was similarly tormented, was a young man about twenty-six years of age, a probationer of the church of Scotland, remarkable for piety, and a warm impressive manner of preaching. He had been only a few days with the insurgents, and had left them previously to the battle of Rullion Green, on account of the weak state of his health. Being unable to give any information of a plot of which he had never heard, his account of the origin of the rising was the same as Nielson's; and the unfeeling Rothes, enraged and disappointed, ordered his leg to be shattered with eleven strokes of the executioner's mallet, notwithstanding the meek sufferer solemnly protested before God that he could say no more, though all the joints of his body were in as great torture as his poor leg. Great but unavailing intercession was made for him, by the marchioness of Douglas to the archbishop of St. Andrews, and the duchess of Hamilton to the earl of Rothes. He was condemned to die, for having been present with the rebels. He heard his sentence with a placid resignation, and in the interval, before his execution, was not only composed but cheerful; and so unaffected, that he could even playfully allude to his own situation. When asked by a

His trial and condemnation.

* Kirkton, p. 252.



Hugh M'Kail tortured with the Boot.

Vol. iv. page 330.



l how he felt his shattered leg, he replied with a smile, e fear of my neck makes me forget my leg." On the ıld, his courage was elevated beyond the common reach manity, and the ecstatic expression of his countenance ed the truth of his assertion, that every step of the ladder degree nearer heaven. The sublime enthusiasm with ı he bade adieu to all sublunary objects, and anticipate opening glories of eternity, melted the spectators to and has attracted the admiration of every historian by ı they have been noticed. Having lifted the napkin before his face, "This is my comfort," said he, "that ɔul is to come in Christ's hands, and he will present it ɛless and faultless, and then I shall be ever with the . And now I leave off to speak any more to creatures, urn my speech to thee, O Lord! Now I begin my inırse with God, which shall never be broken off. Farefather and mother, friends and relations; farewell the l and all its delights! farewell meat and drink! faresun, moon, and stars; welcome God and Father! welsweet Lord Jesus, the Mediator of the new covenant! ɔme blessed Spirit of grace, and God of all consolawelcome glory, welcome eternal life! welcome death!" , after praying a little within himself, he said aloud, ord, into thy hands I commit my spirit, for thou hast med my soul, Lord God of truth;" and while these ; quivered on his lips, he was turned over by the exeıer. Never was general sympathy more powerfully exthan by the death of this young preacher, nor greater ıation, than when it was afterwards understood, that ng had sent down an order to prevent further execu- which was withheld from the council, by the two archɔs, till after M'Kail, who was particularly obnoxious arpe, had suffered.*

His elevated courage, and ecstatic death.

Conduct of Sharpe.

Cooke thinks Sharpe was innocent of this charge, so generally brought him; but Kirkton expressly asserts the fact, p. 255. Hume, vol. vii. London edition, 1786, narrates, that M'Kail died under the torture, otes Wodrow, vol. i. p. 255, as his authority; but it is evident he had ɔoked into Wodrow: for that author, at the part quoted, supports the nt given in the text Lord John Russel has fallen into the same blunhe life of his patriotic ancestor, vol. i. That there had been a plot of

BOOK XV.

1667 Executions in the west.

LXVII. Besides those who were executed in Edinburgh, Rothes accompanied a justiciary commission to the west country, by whom numbers were hanged at Glasgow, Ayr, and Irvine, and several at the doors of their own habitation; but so

some kind in Scotland in the beginning of the year 1666, seems sufficiently plain by the document subjoined, but by whom, or to what extent, is doubtful; this only is certain, that it had no connexion with the rising in Galloway, and no person seems ever to have been examined or brought to any trial on account of it, for the west country was disarmed in 1665, and the principal gentlemen imprisoned in September of that year could have no connexion with the proceedings in Holland which refer to it.—Extract from the Register of the Secret Resolutions of the States General, dated July 15, 1666. 'It was notified in the assembly, that overtures had been made by certain friends of religion in the dominions of the king of Great Britain, who had resolved without delay to seize upon the first good opportunity for vindicating from constraint and oppression the reformed worship of God, to take arms, and do their utmost, and get possession of some one or more towns or fortresses, lying in the foresaid king of Great Britain's dominions. Their high mightinesses therefore feel themselves here called upon to give assurance, that how soon soever they shall be masters of one or more such towns or forts, assistance shall be promptly sent to them, and arms and munition of war expedite to such town.' Among the articles to be sent were the following:—for the foot, 3000 muskets; 1000 match locks; 1500 pikes, with side arms, for the musketeers and pikemen, and 10 brass field-pieces; for the cavalry, 2000 brace of pistols, all with snaplocks, and 1000 horsemen's carabines. Besides the supplies in arms and ammunition, a subsidy of 150,000 *gulden* was promised.—Memoirs of Veitch, &c. p. 378. In a manuscript in the Advocates' Library the circumstance is thus noticed: "there was indeed a plot to have surrendered the castles of Edinburgh, Stirling, and Dunbarton, in July that year, and the chief of contrivers failing, nothing was done." The plot, however, for which Nielson and M'Kail were tortured, was one of the government's own exciting, as narrated in the text. The following particulars respecting M'Kail are from the same MS. and contain *one* striking feature of the times not generally known: "Upon the Thursday thereafter the bishop went to St. Andrews, and Mr. Matthew [M'Kail, afterwards Doctor of Medicine in Edinburgh], followed him on Friday, but reached only to the Weims that night. After dinner he arrived at the bishop's house, on Saturday, and the servant told him that the barber was trimming him, and when he had done Mr. Matthew would get access. In the meantime, while he was walking in the outer room, the bishop's son (about 12 years old) came and inquired of Mr. Matthew if he came from Edinburgh, to which it was answered, yes: then he inquired for the news there; and Mr. Matthew answered there was none, but that other four of the west countrymen were hanged yesterday. Then the youth said, 'no more! it will be long before they hang them all,' and thus verified the old proverb, 'as the old cock crows, the young cock learns.' When Mr. Matthew got access, he delivered to the bishop one letter from the marchioness dowager of Douglas, in favour of Mr. Hew, whose brother, Mr. Matthew, was governor to her son, lord James Douglas, and another from the bishop's brother sir William Sharpe

ıeral was the feeling in their favour, that the common exe- ioners refused to put the sentence of the court in execu- n; and so strong were the sensations excited, by the so- ın declarations of the martyrs, that recourse was had to execrable expedient of drowning, by the noise of drums, last words of the dying men.

LXVIII. Military execution followed the more tardy me- ıd of judicial punishment. Dalziel and Drummond were ıt westward to improve the victory, and exterminate the

lady: and when he had read them, he said, 'the business is now in the iciaries' hands, and I can do nothing, but, however, I shall have answers y against the next morning;' at which time when Mr. Matthew came, bishop called his family together, prayed, and desired Mr. Matthew to e and dine with him, and then he would give the answer; then he ıt to the church, did preach and inveigh much against the covenant. nediately after dinner he gave the answers to the letters; and Mr. tthew said, he hoped that his travelling that day about so serious a iness would give no offence; to which the bishop answered, that it ıld give no offence. Then Mr. Matthew went to inquire for his horse, the stabler's family were all gone to the church, so that he could not tra- till Monday morning early; and when he came to Buckhaven, the wind ng easterly, the fish-boats were coming into the harbour, and he hired one hem immediately, and arrived at Leith in the evening, having sent his horse Burntisland. He went immediately to the archbishop (Burnet) of Glas- , and delivered a letter to him, who did read it, and then said that the ness was now in the justiciaries' hands. The next day, being Tuesday, Hew was arraigned before the Justice Court, which sentenced him to be ed at the Cross of Edinburgh on Friday next; and the night before Mr. hew went to the executioner's, John Dunmore's house, and did drink him, and gave him six dollars, desiring him not to meddle with Mr. Hew's es; and the next day the executioner did nothing but put the rope about eck, and a napkin about his face, and turned him off the ladder, and Mr. hew received him and drew down his feet. When he was cut down he laid into his coffin, which Mr. Matthew had provided, and was carried to laline's chapel; and when his grave clothes were put on, he was carried to Grey Friars' church-yard, and was interred near the east dyke, a little e the stair at the entry, being convoyed by a great company of honest men. ill not be amiss to insert here, that immediately after the execution of the nentioned four men, there came a letter from the king discharging the exe- g of moe. But the bishop of St. Andrews kept it up till Mr. Hew was ated, and then no moe were pannelled for that business. The night be- his execution, the said Mr. Matthew did lie with Mr. Hew, who did as before related in the print, which the said Mr. Matthew knew, having ed very little that night, because of a pain in his head, wherewith he was ently troubled. And because *no friend durst put on mourning*, the said Matthew did wear his black hair stuff coat, wherein he was hanged, and us long as it lasted."—Ib. p. 36. et seq.

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whigs; and their barbarities reflect equal disgrace on the party who authorized, and the myrmidons who inflicted them. The soldiers were indulged in the most unbridled licentiousness; wherever they went they took free quarters, and with more insult and rapacity than if they had been in an enemy's country. On the highways and in the fields, rapes, robbery, and murder, were committed with impunity; complaint only occasioned aggravated suffering; suspicion was reckoned evidence; nor was any proof of innocence allowed, or any mitigating circumstance attended to, except money was produced. The examinations were conducted in private, and torture inflicted by the sole authority of the commanding officer. For some time Dalziel fixed his head-quarters at Kilmarnock, where he thrust into a low, damp, confined dungeon, known by the name of the Thieves' Hole, so many prisoners, that they were unable to sit or lie, night or day; nor were they even allowed the most necessary accommodation to preserve cleanliness: and when one, who was dangerously ill, had been let out upon bail, the unfortunate man dying, his relations were forced to bring the dead body to the prison door, where it was brutally exposed for a considerable time, before it was allowed to be buried.

Barbarities of Dalziel,

LXIX. With these ruffians, filial piety and conjugal affection were crimes. In a fit of intoxication, Dalziel ordered a son to be hung, because he would not discover where his father was concealed. Sir William Bannatyne, who rivalled him in Galloway, caused a woman to be tortured to death, by burning matches applied to various parts of her body, for a supposed accession to her husband's escape. Whoever was guilty of being absent from church, was immediately visited by some of these worthy apostles of episcopacy, in sufficient number to ruin them by spoliation, or by "eating them up"—as it was termed—in a night; till the people, terrified at the unprecedented outrages, from which there was no relief, either fled to the caves or pits, or were constrained to assume a hollow uniformity.

of Bannatyne,

LXX. The clergy exulted in the apparent return of the congregations to their duty; and to confirm them, encouraged the soldiery in all their excesses, in whose revels, they were—says an episcopalian writer—rather leaders than

encouraged by the clergy.

cks—imagining they had extinguished the zeal of the sbyterians, when they had only produced a temporary ɔefaction: nor was it one of the least strange among the ny untoward circumstances attending all the attempts to ɔrce episcopacy in Scotland, that uniformly, the most ndoned characters were its greatest supporters, and those ɔ evinced correctness of conduct, and a regard for domes- religion, were certainly found its opposers.*

XXI. A winter of persecution, the severest that Scotland l yet known, had forced many of the opulent whigs to ndraw from the storm; and as it was a maxim in Scottish , that no person could be tried in absence, the estates of se gentlemen could not be legally confiscated.† A query ı therefore proposed to the court of session, whether or a person guilty of high treason, might not be pursued ore the court of justiciary, although absent; and whether justices, upon sufficient evidence being adduced, might pronounce sentence of death and forfeiture? The obse- ous lords—who had been previously tampered with—pro- nced in the affirmative, in the face of a direct statute; ause, as was alleged, it was inconsistent with law, reason, l equity, that a person guilty of treason should be in a ter, and his majesty in a worse case, on account of the itor's contumacy, which constituted in fact an aggravation his crime. A trial for treason, said they, may take place, l sentence follow after the party be dead, much more then ght it when he is willfully absent: parliament, in their ju- ial capacity, are accustomed to pronounce forfeiture in ence; and the legislature being the fountain of justice, at is just and warrantable before them, is just and warrant- e before other judicatories in the like manner;—therefore, were most unjust, that his majesty should be forced to call arliament, for punishing and forfeiting absent persons, or t he should wait until they die, especially, as in the interim

Question respecting absentees submitted to the court of session.

Their decision.

Burnet, vol. i. p. 349. Wodrow, vol. i. p. 264, et seq. Kirkton, p. 258. ɔhtali.

† In cases of treason, it was expressly enacted, "That in all times cum- g, the haill accusation, reasoning, writtes, witnesses, and uther probation instruction quwhatsumever, of the crime, sall be alledged, reasoned, and uced to the assise, in presence of the party accused, in face of judgment, *na otherwise.*" 11 Parl. James VI. cap. 91.

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Absentees condemned.

the proof might perish by the death of the witnesses. So feeble are the restraints of law, however positive the enactment, in the hands of a venal or corrupt bench! The justiciary accordingly met, and twenty-two of the absentees, accused of being connected with the rising at Pentland, were tried, condemned to be executed, whenever they should be apprehended, and their estates were shared among the officers of the army and the officers of state. The proceedings of the court were declared valid in the next parliament, by an act, which enlarged their powers, and approved of the precedent.

LXXII. Dissensions, and a struggle for power among the Scottish statesmen, and the fall of lord Clarendon, their inveterate opponent, procured for the presbyterians some remission of their calamities during this year. The admission of the military commanders into the council, and the ambition of the prelates, had raised a party superior to Lauderdale's, who were envious of his interest with the king, and his influence in Scottish affairs, as they suspected his attachment to his old principles, and dreaded his imperious, ungovernable spirit. Their object was to subject the whole of Scotland to their faction, usurp every office of consequence, and prevent any other, except their own retainers, from sharing in the spoil of their devoted country. But Lauderdale was too acute a politician to be easily circumvented, and the personal favour of the king more than compensated for the majority against him at the council board. Rothes, whose private dissipation and public indolence—which, he said, fitted him more than any nobleman in Scotland for being his majesty's true representative—rendered him a mere tool in the hands of the bishops, and laid him open to the arts of his opponents, was already marked out for dismission, as commissioner, when this event was hastened by an attempt of his party to secure their seats. They proposed to continue the standing army, and to enforce rigorously the declaration, under the penalty of forfeiture, on purpose to enrich themselves and reward their satellites. Without the most distant idea of refusal, they had written to the king for his approbation, and had already obtained from a convention of estates [which met, January twenty-third,] a subsidy of sixty-four thousand pounds per month for maintaining the

Plot to remove Lauderdale, ineffectual.

es; and Burnet, archbishop of Glasgow, with general mmond, were sent to London, to press upon Charles necessity of adopting the proposed measures for sup- sing the rebellious disposition of the people, and rooting their pernicious principles. A jest is said to have spoil- eir errand. The king, when he received the despatches, the cover in the grate, which, being carried up burn- set the chimney on fire; and some of the courtiers hav- emarked, "that the Scottish letter had fired Whitehall," as replied, "the cover only had almost set the palace on ; but the contents would certainly set all Scotland in a e."* The decided opposition of Lauderdale, however, ciently accounts for the failure. He perceived that the le project went to enrich his enemies; and he prevailed n the king to write, indeed, a letter for pressing the de- ation and incarcerating the recusants, but said not a word ut the confiscation of their estates.

XXIII. The disgrace that had attended the Dutch war, the dissatisfaction it universally produced, hastened the of Clarendon—a statesman who has been praised only ause the infamous profligacy, and total disregard, not of every principle, but of every appearance of honour ntegrity in those who succeeded him, rendered his more er manners, and his less absolute prostration to his mas- s pleasure, wear somewhat of the semblance of virtue. Scottish history, he is only known as an abettor of the st measures, and a prime cause of all the miseries which ng from the unlimited restoration of the Stuarts; in him Scottish prelates lost a firm supporter, and his declining lit was speedily marked by an order for Sharpe to re- e from the council, and reside within his own diocese. hes followed: a pretext was found for his dismissal n active employment, on a charge of his being absent n his post in the hour of danger. Irritated at the num- of prizes taken by the Scottish letters of marque, a tch squadron had entered the Firth of Forth—where re were neither preparations for resistance or defence— le the army was in the west, and the commissioner at a

Sharpe and Rothes disgraced.

Dutch fleet in the Forth.

* Burnet. vol. i. p. 354.

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distance: but although intending a display of their power to revenge, either through ignorance or compassion, their commander fired only a few shots at Burntisland, and then proceeded to join De Ruyter, and destroy the shipping in the Thames: yet Leith had been at his mercy; and had not some other cause than the activity of Rothes intervened, the damage might have been immense. He was continued chancellor for life, but stript of all his other offices. Sir Robert Murray, distinguished for his literature and his attachment to science, not less than for his moderation of temper, was appointed to the important station of lord justice-clerk—an office peculiarly trying to the uprightness of a judge in times of political commotion; and the friends of Lauderdale regaining their preponderance, a milder method of procedure was adopted in the government, although no relaxation took place in the despotical principles upon which it was conducted. The treasury was also put under the management of sir Robert, in conjunction with two other commissioners; Tweeddale—whose son, lord Yester, was married to Lauderdale's only daughter, and presumptive heiress—and lord Kincardine, who now assumed the direction of affairs; and, upon the conclusion of the Dutch war, the western army, that horrible instrument of so much cruelty, was ordered to be reduced, greatly to the dissatisfaction of the prelates* and the episcopalian gentry, many of whom had purchased commissions, and considered a captaincy equivalent to an estate.†

Change of ministry.

Western army reduced.

LXXIV. When the army was disbanded, and the military force withdrawn from the west, it then became a question—how was the peace of the country to be secured, as it was not intended to remove the true origin of all the discontent? and it therefore remained to be considered, which was the least objectionable method of coercion—a wretched dilemma to which bad governments are often liable to be reduced. Upon this the council was divided: the one party, who wished to continue the system of persecution and plunder, were for pressing the declaration [vide p. 496] upon all suspected

Debate in council respecting future measures.

* Burnet, archbishop of Glasgow, said, "Now that the army was disbanded the gospel would go out of his diocese!" Wodrow, vol. i. p. 275.

† Lamont's Diary, 1667. Wodrow, vol. i. p. 275. Kirkton, pp. 261 3.

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n the hope of advantage from the discontent it
xduce; the other was merely for a bond or civil en-
to keep the peace, to be subscribed by all to whom
be tendered; but it was not without difficulty, and
council had three times divided upon it, that the
edient was carried. The bond itself was short, but
s and comprehensive; requiring the subscriber to
public peace, himself, his tenants, and servants, un-
enalty of a year's income for himself, a year's rent
nant, and a year's fee for his servants. All confi-
the government being destroyed, every act and ob-
ıssued by them was scrutinized keenly by a people
been so often deceived; and the meaning of the
ıblic peace," became an object of warm discussion,
ientious scruple—whether it implied an obligation
/e the present laws upon which that peace is found-
ıus contain an approval of the iniquitous enactments
l overturned the constitution, liberty, and religion
ıntry; or whether it merely obliged them to lead
peaceable lives in the discharge of their relative
whether keeping the public peace forbade rising in
nst tyrants, or enforced passive obedience? But
ivy council did not provoke discussion by pressing
bond very harshly, the debate died away, and, an
' being proclaimed at the same time, the country
tranquil.

Bond to keep the peace adopted.

Discussions respecting its meaning.

Not harshly enforced

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These comparatively mild proceedings afforded a
time to the people; and they began to hope they
ıin be placed within the protection of the law, espe-
:n the council instituted an inquiry into the conduct
of their oppressors. But they soon perceived that
lictated by party politics, rather than by any love
:. The most barbarous and atrocious delinquents,
ıd Drummond, were rewarded with large estates,
James Turner and sir William Bannatyne were
o trial. Extortion and cruelty were clearly proved
r James; but he defended himself by pleading his
on; and the defence appears to have been partially
, as he was only desired to leave the service. The
gainst the other were more aggravated and brutal:

Trial of Turner and Bannatyne.

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he was fined two hundred pounds sterling, and banished the kingdom.* Arbitrary punishments, too, continued to be inflicted upon those who met peaceably in conventicles, and the jails were summarily cleared, by deportation, of all who, being incarcerated previously, refused to accept unhesitatingly of the bond.

Prisoners refusing to take the bond transported.

LXXVI. Clarendon's exile had disgusted the high church party in England, and Charles now thought it advisable to court the nonconformists; with his usual sincerity he told some of their most eminent men, "that he had been too long the king of a party, he was now determined to be the father of all his subjects;" and several dissenting meeting-houses had been connived at in London. From these circumstances, the Scottish sufferers flattered themselves that better days were beginning to dawn, and were confirmed in the belief, when Tweeddale sent for some of the presbyterian ministers who were under hiding, and, in a conversation, expressed his hopes of being able to procure for them favour and indulgence. But an unhappy accident checked, probably, rather sooner than the others wished, a delusion the king never intended to realize. James Mitchell, a preacher who had been in arms at Pentland, who had seen his companions and friends bear witness on the field and on the scaffold, to what he considered the cause of God and his country, who was himself exempted from pardon by name, believing that Sharpe, whose apostacy had betrayed the church, was the chief, if not the sole cause of the sufferings he had witnessed, and of himself being at that moment a denounced, hopeless outcast, determined to avenge his own wrongs, and those of the public, on the head of the traitor. Situated as he was, liable to execution upon being apprehended, it required little reasoning to convince him that he was placed in that state of open hostility which rendered it justifiable in him to single out and destroy an avowed enemy, who had devoted him to destruction. He, therefore, with the greatest coolness and deliberation, one day after dinner [the 4th of July], waited with a loaded pistol for the archbishop's coming down from his lodgings, head of Black Friars' Wynd,

Charles courts the nonconformists.

Hopes held out to the covenanters.

* Kirkton, p. 270, et seq. Wodrow, vol i p. 287.

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ıke his coach; as soon as he was seated, Mitchell fired; Honeyman, bishop of Orkney, who was in the act of as- ling, received the bullets in his arm, and the primate ped. A shout was raised that a man was killed; but n the populace understood "that it was only a bishop," ıne interfered: and Mitchell, retiring through one lane another, shifted his dress, and returned almost imme- ɔly to the street; nor was he discovered till many years '- Instant and vigorous inquiry was, however, made; council emitted a proclamation, offering two thousand ɛs to any person that should discover, and three thou- to any that should apprehend the assassin; and the istrates of Edinburgh ordered the gates to be shut, and uspicious person allowed to pass, while the constables ɔhed every house where they imagined he might be se- ɔd.

Mitchell fires at archbishop Sharpe.

ɛxvii. The town was full of whigs, yet none were ap- ıended, although some of them had narrow and remark- escapes; one, in particular, deserves to be recorded. ɔwell of Monerief, one of the most considerable landed lemen of the party who was excepted from the indem- , being unacquainted in the city, when the search began, e in great trepidation to his landlord, Nicol Moffat, sta- , in the Horse Wynd, and begged that he would hide , for he had no shelter; Nicol replied sorrowfully, that house was the most unsafe place in Edinburgh, there was a hole in it where he could be secure; but, pointing to empty hogshead, used for holding oatmeal, that stood at head of a table in a public room, told him, if he chose venture himself there, he would put on the cover. Mr. ıxwell, who had no other resource, complied; and scarcely s he lodged, when a constable, with some soldiers, enter- , and asked Moffat if there were any whigs about him? answered, they might search. His careless manner de- ved the constable, and his men being tired and thirsty, ey sat down at the table, and called for some ale. While inking, they began to talk of the unsuccessfulness of their ırch; and one of them remarked, he knew there were ıny whigs in the town, and probably some of them very ar them; to which another, knocking violently on the

Remarkable escape of Maxwell of Monerief.

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head of the hogshead which contained Mr. Maxwell, replied with an oath, "it may be there is one under that:" the reply was received as an excellent joke, and the party retired without farther examination, when the prisoner was set free, after tasting almost the bitterness of death.*

Frequenters of conventicles, &c. still persecuted.

LXXVIII. A general outcry was raised against the fanatics, as the presbyterians were now called. The council assumed the power of inflicting fines by proclamation, against all who should attend conventicles, or should get their children baptized by any of the outed ministers; and while the government were speaking about peace, they continued, only not to the extent, their arbitrary, illegal, and oppressive acts: but the voice of the country was decidedly against the intrusive clergy, and even those who wished to support episcopacy, could not defend either the morals or the abilities of the curates. A number of the churches were without ministers, while multitudes of the most revered presbyterian preachers, were prevented from officiating, and the bishops inveighed bitterly against the increase of conventicles.

1669. Tweeddale proposes the Indulgence.

LXXIX. Tweeddale wished to adopt a temporising policy; and, by an insidious proposal of indulgence, hoped to induce the most popular of the outed ministers to sanction, by their compliance, the introduction of bishops, upon terms nearly similar to what had been done before the year one thousand six hundred and thirty-eight. He procured a letter from Charles, authorizing the council to permit such of the ministers as had been ejected by the act of council at Glasgow, sixteen hundred and sixty-two, to return to their old charges, if vacant, or to appoint them to others, with collocation of the bishops, and consent of the patrons, requiring them to attend their respective presbyteries and synods. But they were required not to allow any of the people from neighbouring parishes to sit under their ministry, or partake of the ordinances, without the liberty of their own pastors; and to those who were not thus provided for, a pension of four hundred merks, as long as they conducted themselves peaceably. This indulgence was ac-

* Kirkton, p. 279. Wodrow, vol. i. p. 292. Burnet. vol. i. p. 378.

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ed of with hesitation; and in their acknowledgments, ministers mingled expressions of explanation, along with e of gratitude; yet the whole named by the council were ng to accept, and with the consent of their brethren, the le, who had been so long deprived of their labours, were willing to obey; and at first, the measure apparently pro- d all the success its projectors could have desired. ut forty-three ministers were inducted.

Partially accepted.

xx. It soon, however, began to appear that it would please arty. The bishops took an alarm at the extent to which omised to re-admit the presbyterian ministers to parish ches; and they, on the other hand, began to split in ion about it themselves; those who complied, justified r conduct by the exigence of the case, the explanations gave, the consent of the people, and their own hopes of eing opening a door to greater liberty for their brethren. others contended, that it was acknowledging the king's remacy, allowing an erastian power to the council, pregnant n ruin to the profession by destroying their harmony; , that license to a few would be accompanied with greater erity to the rest of the presbyterian ministers who were indulged, and greater persecution to the people who re- d in parishes where curates were placed. These dissen- ns were heightened, by the council, in about half a year r, refusing to grant any more indulgences, their interfer- e with the ministry and worship of the indulged, and the sh and cruel methods adopted with regard to the others, ch justified all the suspicions of those who had objected he measure.

Produces dissension.

xxxi. While these distractions were going forward in the rch, proposals for a union between the two kingdoms, e revived. The pretext was, that it would be impossible erwise to procure for the Scots a share in the advantages he English commerce, as none, except those of the lat- nation, or naturalized, could be allowed to trade to the ntations. But the general opinion of the time, and what ried with it the greatest probability, was, that Lauderdale, irous of procuring for himself the office of commissioner, l revived the idea, knowing it to be an object not likely easy attainment, and that, while the protracted negotia-

Proposals for a union revived.

Lauderdale's object.

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tions were pending, his own place would be secure; for it was not supposable, that so ambitious a man would sincerely urge what must have tended greatly to lessen his own power, by introducing English counsellors into a share of the government of Scotland, where he had been in use to rule with almost despotical sway. It was at the same time believed by others, that the king willingly indulged the scheme. The commons house in the English parliament was far from being so tractable as he wished; and it was imagined, if he could introduce Scottish members, whom he would always have at his beck, he might be able to command a majority sufficiently subservient; yet it is difficult to perceive, what advantages he could promise, from the annihilation of the parliament of his ancient kingdom, so entirely devoted to his will, unless he could have remodelled the English parliament upon a similar plan; and by uniting the two houses, have secured the constant preponderance of a servile aristocracy, for which the English nation were certainly not yet quite prepared. Lauderdale was named commissioner, and besides the acts of intimidation used to influence the elections, immediately after the proclamation of parliament, precepts were issued upon the exchequer, for considerable sums of money, in favour of several noblemen, which spread a general report, that they had sold their country; and the aversion of the people was increased by the means supposed to have been taken to promote the project. The mean adulation of the nobility was expressed by the number of titled expectants, who, afraid of having their prostration overlooked, in a crowd advanced considerably into England to meet his grace. He was received on the borders by the militia of the Merse, and by those of each of the respective shires as he passed. At his entry to Edinburgh, he was saluted by the magistrates in their robes; and the only difference between his and a royal reception was, that the lord provost did not carry the mace before him on his own shoulders.

The king's.

Lauderdale commissioner.

His reception at Edinburgh.

Parliament meets—new regulations.

LXXXII. After a lapse of eight years, parliament assembled, [October 16th,] when another grievance was introduced into its constitution—so naturally progressive is despotical innovation. Formerly, any member had access to the meetings of the lords of the articles; at this, none were suffered to be

ent except the members of that committee. The order tting too, was altered; the whole of the spiritual lords : placed together on the right hand of the throne, instead ;ing—as formerly—intermingled with the temporal peers.

The king's letter recommending a union

king's letter, recommending an union, was produced; in answer, the parliament referred to his majesty the ination of the commissioners, and the time and place of · meeting. Sir George Mackenzie required time to de-ate; and being seconded by sir George Gordon of Had-the commissioner imperiously silenced the latter as he stating the supposable case of a divided succession; and former, afterwards, having made a modest, and not egant harangue on the propriety of parliament them-'es nominating their commissioners, was likewise in-:upted, by the earl of Tweeddale, who remarked that h long speeches were intolerable; especially when they re intended to persuade the parliament not to com-· with his majesty's desires. The letter was without ther dispute, approved of; and the complaisant legis-

approved.

ors proceeded to assert his majesty's supremacy in all es ecclesiastical, and over all persons; and to declare it the disposal of the external government and policy the church belonged, as an inherent right, to the crown; l whatever orders royal wisdom should think fit to is-: respecting the persons employed, the meetings to be ld, or the matters to be discussed in ecclesiastical as-nblies, on being recorded in the books of council, ould receive the force of a law. This act, which went yond the English, placed in the king's hands the whole wer of altering and abrogating at his pleasure, the re-ion of the country. Lauderdale asserted it was in-ded to free the nobility from the tyranny of the pre-es, and flattered the presbyterians that they would be er and better treated than when at the bishops' discre-n; but they disclaimed subjugation to a royal, more an to a Roman pope; and when the duke of York's igion came to be publicly avowed, the act was attribut-to Lauderdale's wish to ingratiate himself with the r apparent, while, in the mean time it afforded Tweed-le an opportunity of wreaking his vengeance on Bur-

Act establishing the king's supremacy.

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net, archbishop of Glasgow, with whom he was par ally displeased. This prelate, who defended the royal rogative to its utmost extent when exerted in favour his own party, was not quite so clear about its lati when exercised in what he thought inimical to that int est. At a diocesan meeting, he caused to be written remonstrance against the Indulgence, which contai some rather severe reflections on the business. Altho not published, a copy was surreptitiously sent to the ki who declared it as bad as James Guthrie's; and soon a the act had passed, sent down a letter to the archbish requiring him to resign, with which he found it exped to comply.

Burnet, archbishop of Glasgow, resigns.

LXXXIII. The offer of the late parliament, with regar the militia, had been already acted upon by the council, a standing force organized, not to defend, but to sub the liberties of the country. In former times, every fenc man was required to be armed; now, only a select num were to be regularly officered and trained, under the di tion of the council, and be ready to march wherever king pleased to signify his intention. When the act proving of the conduct of the council passed through liament, the only objection which was started to it was l lawyer, and extremely characteristical. In the orig draft, defaulters were ordered to be quartered upon, a n of punishment agreeable to the habits of the soldiery, ac tomed, during late years, to military license; instea which, sir Peter Wedderburn proposed "poinding," w was adopted.

Militia new-modelled.

LXXXIV. It has been remarked of the English hous commons, that at a time when they were apparently c less about the encroachments of the crown in other spects, they always discovered a laudable anxiety a any attempts to touch the public purse; the Scots di vered something of the same disposition in the pre parliament, but it was rather the disposition of haw —each anxious to retain his own small profits, thoug the expense of his neighbour—than that of represe tives, who, by uniting for the general good, ensure their dividual interest, in providing for the security of the wh

o were interested in breeding cattle, voted with issioner in his attacks upon the fisheries, in hopes his favour for themselves; and those connect- ıe fisheries, acted upon the same principle with the graziers; and thus both were separately and spoiled. In the year one thousand six hundred one, an act had passed for the encouragement of ;, by which all foreign salt used for curing was from duty; but the earl of Kincardine and other rs, brought in a bill, ordaining foreign salt—how- oyed—to pay a duty of forty shillings Scottish nd allowing a drawback on fish exported. This, ı state of the country, was nearly a prohibition ept capitalists adventuring in the trade, and was xtremely vexatious; the commissioners for the cordingly, strenuously opposed it; till at last the ner, fearing the issue, rose in a passion, and swore, h the parliament stopped the act, they should gain y it, for he would, by virtue of his majesty's pre- epper the fishing with impositions. Such was the a Scottish parliament at that time, that this elegant produced a long and deep silence, which was at upted by a humble proposal, that the parliament permitted to vote, in order that it might appear the opinion of his majesty's great council; and, if s his majesty should think fit to burden trade, his would submit to all his royal commands! With l request his grace thought fit to comply, and the e declared equal, when the chancellor was required is casting vote. The earl of Kinghorn then de- votes were not equal, but that the act was rejected rity of several. On which the commissioner in- and told his lordship, that he might pursue the falsehood, but that there was *jus acquisitum* to the ıe vote already passed. Kinghorn, who knew the arther resistance, urged no more, and the clerk laring the votes equal, the chancellor approved the e isles of Orkney and Zetland were, during this it, annexed to the crown, and the donative to the rgyle of his father's forfeiture was ratified. On the

Proceedings on the salt tax.

Lauderdale's haughty interposition.

Orkney and Zetland annexed to the crown—Argyle confirmed in his father's estates.

BOOK XV.

1669. Parliament prorogued.

twenty-third, the parliament was unceremoniously adjourned by the commissioner, who, instead of a formal speech, as was usual on such occasions, tauntingly bade the honours be carried back to the castle, and desired that the wives of Edinburgh might take notice, he had not sold the crown to the "Englishes," as was reported.*

Lauderdale's conduct and character.

LXXXV. Before Lauderdale set out for London, he liberated several of the west country gentlemen who had been imprisoned, and selected Leighton to officiate as archbishop of Glasgow. In his conduct he still affected some moderation towards his former presbyterian friends, but he openly, and with many professions of sincerity, declared his attachment to the hierarchy, and his regard for the bishops; his outrageous behaviour, however, in parliament, and his contempt of decency in his private conversation, greatly diminished that respect with which he was formerly regarded. In the early period of his life, he had been strictly religious in his deportment, and during his long confinement in the Tower, had addicted himself closely to the study of devotion; on his release, however, he fell in with the current of the times, and varied his ambitious pursuits by extravagant revels and low buffoonery;† but the entire revolution which his character underwent about this time, has generally been attributed to the influence of lady Dysart—whom he afterwards married—a woman, whose beauty and wit were equalled by her extravagance and rapacity, and to whose passion or caprice he was entirely subservient.‡

Military instructed to disperse conventicles.

LXXXVI. During the absence of the commissioner, the council issued a severe proclamation against conventicles, instructing the soldiers to disperse the congregations, and apprehend the ministers and principal persons present: a

* Scottish Acts, vol. vii. M'Kenzie, p. 137, et seq. Kirkton, p. 291. et seq. Wodrow, vol. i. p. 307, et seq.

† "Lauderdale was a wit and a courtier—he had suffered much for the king, and was his privado in his secret pleasures, in which office, to keep himself in favour, he acted a most dishonourable part; for, after the king's fleet was burned at Chatham, and the Dutch retired, he came to the king's privy chamber, and danced in a woman's petticoat, to dispel the king's melancholy." —"He choosed for his patron, neither statesman nor prince, Barbara Villers first Mrs. Palmer, then duchesse of Cleveland," &c. Kirkton, p. 158.

‡ Burnet, vol. i. p. 360.



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1669.

e was sent to the west country, to inquire into the s of the incumbents, who represented their lives and as in danger from the fanatics, and their congrega- rawn away from them by the perverse conduct of ged; who, although licensed only to preach, had the ion to lecture—that is, explain connected portions re—instead of descanting upon an insulated text. eedings of the committee were moderate, but positions of the military were severe; and in or- oid danger, those who wished to hear sermon, the worship of God according to the dictates of cience, were forced to hold their meetings in the ence they could more easily disperse; and—as up- every other occasion of assembling in Scotland— the persons who attended brought the arms they ore. Three of these field conventicles were re- for the crowds they attracted:—one at Carnwath, nty of Lanark;—another at Torwood, in Stirling- nd the largest at Beath, held in Fife. On this ion, a lieutenant of the militia on horseback, creat- disturbance. After having been repeatedly re- o withdraw quietly, one of the hearers took hold of of his horse, and threatened to shoot him if he silent; on which he waited peaceably till the end ice, and then retired without molestation; but the vas aggravated into a concerted plan of rebellion, e bishops attributed entirely to the insolence of the ians, who presumed upon the friendship of Lau- nd Tweeddale.*

Charges of the curates against the indulged ministers.

Three remarkable conventicles held.

Construed into a concerted plan for a rebellion.

1. Among all the counsellors of Charles, there was ho forwarded so strongly his views of absolute the Scottish lord high commissioner. He was y received at court, as having triumphed over what ained of the liberties of his country; and admitted of that infamous secret club, known by the name *bal*,† which was plotting the overthrow of those of

Lauderdale's reception at court.

ie, p. 188. Wodrow, vol. i. p. 317, et seq.

al consisted of Clifford, Arlington, Buckingham, Ashly, and Lau- initials of whose names formed the word.

BOOK XV.

1669. England. It is probable that he knew the secret of the king's attachment to the popish religion, although it does not appear that his majesty intrusted to any of these, his worthies, the true nature of his connexion with France, excepting as to the fact of his being a stipendiary of Louis.

1670. LXXXVIII. The English parliament, which met shortly after his arrival, agreed to a resolution for leaving the nomination of commissioners to treat about a union of the kingdoms to the king; but in their dread of popery, and zeal for their own hierarchy, set an example, in their conventicle act, which the commissioners terribly improved upon. The Scottish estates met, according to adjournment, July twenty-eighth, one thousand six hundred and seventy, when the preliminary appointments for discussing an union were easily adjusted. The acts which followed, it is difficult indeed, to characterise in terms too severe. That against conventicles prohibited house conventicles, under the penalty of ruinous fines, both to the ministers and hearers; husbands were rendered liable for their wives, parents for their children, and masters for their servants, and the burghs for every such meeting held within their bounds. Field conventicles subjected the ministers to death and confiscation, the hearers to double fines and arbitrary punishments; and that was declared to be a field conventicle where two or three assembled at the door or window of a house, within which divine service might be performing by any other than a bishop's licentiate. Every person, of whatever rank, sex, or quality, who should refuse, when called upon, to give information respecting the persons that attended conventicles, or decline to denounce their nearest relatives or friends, or who should hold intercourse with such as should be declared rebels or fugitives, were punishable by imprisonment, fine, or banishment as slaves to the plantations![a]

Proceedings of English parliament,

of the Scottish on the union;

against conventicles.

[a] It would be hardly credible, were it not upon record, that the crimes so severely denounced were not, at least, prejudicial to the community; the reader will mark what they are. "His majesty, with advice and consent of his estates of parliament, statute and command that no outed ministers, or other persons not authorised or tolerated by the bishop of the diocese, presume to preach, expound the scriptures, or pray in any meeting, except in their own house, or to those of their own family."—"And all who shall so preach, expound the scriptures, or pray within any house, shall be seized upon and im-

BOOK XV.

1670.

Roman catholics protected.

nnected with these, was an act exempting Roman catho- from the inflictions upon protestants who dissented from episcopalian mode of worship, and rendering those only he reformed religion subject to prosecution for absenting mselves from their parish churches. Against these acts, only solitary voice that was heard raised above the murmur- s of the servile herd in parliament, was the young earl of silis, who voted in the negative. On a money bill which owed, the opposition was greater. When a subsidy was ed to defray the extraordinary expense of the commis- ners for the union, the provost of Linlithgow, who was irous of being upon the nomination, proposed twelve nths' cess; but Lauderdale, who had only instructions three, having intimated that less than six would do, some his party named five. The duke of Hamilton, after erting to the poverty of the country, desired it to be put he vote, whether five or three should pass;—it was carried five, by a majority of one only, in the committee of the icles; nor was it passed in parliament without considera- struggle.

XXXIX. While the commissioner was pushing these ter- le acts, Leighton, probably the only prelate who desired ace, was attempting an accommodation. Several meetings

oned till they find caution, under the pain of five thousand merks, not to the like thereafter; or else enact themselves to remove out of the king- , and never return without his majesty's licence." But the most atrocious se I cannot avoid copying, it speaks more than any commentary could, the rors of these times—the happiness of our own. "Whosoever shall preach, ound, or pray at any of these meetings in the fields, or in any house where re be more persons than the house contains, so as some of them be with- doors—which is hereby declared to be a field conventicle—or who shall vocate any number of people to these meetings, shall be punished with th, or confiscation of their goods. And it is hereby offered and assured, t if any of his majesty's good subjects shall seize and secure the persons of who shall either preach or pray at these field meetings" "Shall have five dred merks for each."—"And the said seizers, or their assistants, are here- indemnified for any slaughter that shall be committed in the apprehension securing of them!" Then, after narrating the fines to be inflicted upon all aders, in order to render the sheriffs and others diligent in this work, it al- s to themselves "all the fines of any persons within their jurisdictions, un- the degree of heritors!"—Printed Acts. It has been said by Burnet, that king was not pleased with the act, as extravagantly severe. Hist. vol. i. p. ; but he never did any thing to alleviate its severity.

BOOK XV.

1670. Leighton's plan for an accommodation.

were held, but it was found impossible to produce any coalition between such discordant materials as the conscientious, austere, and exemplary presbyterians, and the time-serving, supple, and loose episcopalians. The chief point, however, of discussion, and of difference, was the government of the church. Leighton's scheme was, that presbyterian ministers should join their respective presbyteries and synods, where bishops should preside, but without any negative voice, and where all should be carried by a majority of votes; and that the presbyterians should be allowed to exonerate their conscience by a protest against their sitting in presbyteries with bishops being construed into an acknowledgment of episcopacy; and he urged the precedent of the presbyteries before the year one thousand six hundred and thirty-eight, when both sat together, yet episcopacy was never considered as the religion of the country. The ministers replied, the presbyteries were not, as then, established by law, being now founded only upon the bishop's commission, who was still clothed with episcopal power, though he should forbear the exercise of it; lay elders were not admitted, without whom a true presbytery could not exist; nor could they perceive any thing in the whole scheme but an attempt to ensnare them into an acknowledgment, or—as they termed it—homologation of episcopacy; and to engage the presbyterians to ruin their own cause, by enlisting under the banners of the enemy.

Objections of the ministers.

xc. Equally abortive with the scheme of an accommodation between the two religious parties, was the project of the union between the two kingdoms. Immediately after the rising of the parliament, the commissioners set out for court, where they were most graciously received. Being introduced to the king in the dark, he facetiously told them, although he could not see their faces, he hoped the business upon which they met would be for the good of both kingdoms; and, for his own part, he had no other design. The Scottish secretary then informed him, that they were a quorum of these he had honoured with that trust; but that he believed the kingdom of Scotland could very well have intrusted the whole affair to his majesty without them; and Charles was condescendingly pleased to reply, "this they might safe-

Scottish commissioners for the union introduced to the king.



ave done." The commissioners were [then] appointed old their meetings at Somerset house, where their sit- s for business commencement September seventeenth, one isand six hundred and seventy. Their credentials hav- been previously read, a message from the king was de- ed in writing, containing the subject submitted for their peration, under five distinct heads:—1. The preserving ther kingdom their laws, civil and ecclesiastical, entire.

The meetings appointed at Somerset house.

The uniting of the two kingdoms into one monarchy, er his majesty, his heirs and successors, inseparably.— he reducing of both parliaments to one.—4. The stat- of all privileges, trade, and other advantages.—5. The ring the conditions of the union; but he left them to ss them in what order, and to make what proposals ach they thought best. As the business was new to Scottish deputies, the commissioners separated; each n to deliberate apart. At a private meeting in Lau- ale's lodgings, the lord advocate contended that there d be no union, as proposed in the second and third ar- s, it being destructive of the fundamental constitution of land, and tending to take away her parliament, which iament had neither power to do themselves, nor could empower others to do it; besides, it was declared trea- by statute, parl. 8. James VI. to attempt the alteration e constitution of parliament, or to transfer, or alienate kingdom. He alleged, also, that the union proposed by es VI., by which they were to be regulated, was not of nature; but, like the union among the ancient repub- the sovereignty was preserved to each individual state. derdale answered, that the United Provinces had each em their sovereignties reserved, and yet they were unit- n one body by their several representatives, in a common ncil; and the republics of Greece were represented at general council of the Amphictions. On the first head, as argued, that there could be no appeals from the court uncil and session, in Scottish cases, to the British par- ent;—a resolution, from which it is questionable, how at a later date, it was justifiable to depart. Respect- the proposal for reducing the two parliaments into the English commissioners appear to have been aware

The king's instructions to them.

The lord advocate's objections.

Lauderdale's reply.

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of the danger of introducing too many needy Scottish members, and required that it should be considered in two branches; first, the proportion of burdens, and then the proportion of members. In private, the earl of Lauderdale, on purpose to preserve the Scottish legislature independent, proposed that both parliaments should be kept entire, but that a certain number of Englishmen be appointed to sit in the Scottish parliament;* and, upon great emergents concerning the monarchy, his majesty might be empowered to summon the two great councils to meet together at Westminster, or wherever he chose, to deliberate and decide upon public affairs. But this suggestion was dropped, as inconsistent with the second proposition; and both English and Scottish commissioners agreed to his majesty's proposal, as it stood, for incorporating the parliaments. The English insisted that only a proportion of Scottish members should be admitted, regulated by the wealth and population of the country. The Scottish said, they had not authority for breaking down their native parliament, which consisting of lords, spiritual and temporal, commissioners of shires and burghs, all behoved to be admitted; to this the English commissioners not consenting, the conference was adjourned, and they met no more. On the 14th November, the Scottish commissioners held their final audience at Whitehall, to take leave, when the earl of Lauderdale informed his majesty of their proceedings—that in consideration of his royal interest and greatness, they had consented that both parliaments entirely should be united, and that nothing less could have satisfied the parliament of Scotland, which not being accomplished, they were about to return to their homes, but would be ready again to wait on his majesty, whenever they should receive his commands. The king told them, as at present it did not appear likely the treaty could be brought to a conclusion, he would think upon some expedient for removing the difficulties, of which he would give them due notice; and dismissed them with great professions of kindness for his ancient kingdom, which he confessed himself under many and great obligations

His proposals to the English commissioners.

The conferences broken off.

Scottish commissioners take leave of the king.

* The king already possessed the power of creating Scottish nobles English peers, and giving them a right to sit in the house of lords.

THE

HISTORY OF SCOTLAND.

Book XVI.

arles II.—Lauderdale sole manager.—Change of Administration.—State of ne Country.—Parliament.—Acts in favour of the Bishops.—Subsidy granted.—Lauderdale's imperious conduct.—Their servility.—Mismanagemen f the finances.—Severity against Non-conformists.—Lauderdale goes to ondon.—English Parliament vote him unworthy of public trust.—He returns to Scotland.—State of parties.—Parliament.—Duke of Hamilton oves for an inquiry into the grievances of the nation.—Violent debate.—auderdale's proffered concessions refused.—Sir Andrew Ramsay, Provost f Edinburgh, impeached.—Turned out of office.—Parliament prorogued.—Hamilton's reception by the King.—English Parliament applies for Lauderale's removal.—The King's assurances to Hamilton shamefully violated.—Parliament dissolved by proclamation.—Lauderdale publishes an Act of Grace.—Its effect on the Covenanters.—Communion in Tiviotdale.—Another unsuccessful visit of Hamilton, &c. to London.—House of Commons gain request Lauderdale's dismissal.—Change in the Scottish Council.—Ordered to proceed against Conventicles.—The Ladies' Petition in favour f the outed ministers voted seditious.—Proceedings against the subscribers.—Lauderdale's interference in the administration of justice approved by the King.—Proceedings against the Advocates who opposed it.—Preparations for invading Scotland.—Garrisons planted in noblemen and gentlemen's seats.—Opposed by Home of Polwart.—Case of Lord Cardross.—Letters of Intercommuning issued.—Conventicles increase.—One at Whitekirk.—Execution of James Learmont.—Bishops attempt to curb the power of Sharpe.—Prosecution of Witches.—Committee for public affairs.—Case of Mr. Kirkton.—Baillie of Jerviswood punished for rescuing him.—Hamilton, &c. removed from the council.—Exiles, at Charles' request, ordered to leave Holland.—The Bond proclaimed.—Dissatisfaction in the west.—Resolutions of Heritors of Renfrew and Ayr.—Trial and Execution of Mitchell for shooting at Sharpe.—The Highland Host.—Representation of the Noblemen to the Council respecting the Bond.—Lawburrows issued by the King against the Lieges.—Intrepid conduct of Earl of Cassilis.—English Parliament again petition for Lauderdale's dismissal.—Lawburrows suspended, and the Army disbanded.—Interview of Hamilton, &c. with the King.—He thanks the Council for their conduct.—A Convention of Estates.—They vote a new army, and impose a cess for its support.—Cess a cause of

division among the Covenanters.—Prisoners shipped to the West Indies as slaves.—Additional Sheriff-deputes appointed.—Conventicles assume an alarming attitude.—The Popish Plot.—More extensive powers conferred on the Committee.—Cruelties committed under their sanction.—Death of Archbishop Sharpe.—Ayton, younger of Inchdarnie, murdered.—Reflections.—1671—1679.

BOOK XVI.

1671. Charles II.

1. LAUDERDALE, now lord of the ascendant, determined to have no rivals. He had hitherto consented to share with Tweeddale and sir R. Murray the administration of Scotland, which, under their management, was beginning to assume some appearance of regularity. The revenues were not squandered with the same wanton and thoughtless prodigality, and even a surplus was laid up in the exchequer; proposals for extending the fisheries had been encouraged, and a company formed under the sanction of government, to be divided into shares of one hundred pounds sterling each, which had already a capital of twenty-five thousand pounds; and although the courts of justice could neither be praised for impartiality nor uprightness, they were not so outrageously and shamelessly venal as they had been, or as they afterwards became. But lady Dysart and the earl of Rothes had insinuated into his dark and irritable mind, that Tweeddale assumed the credit of being his director, and his haughty spirit could not brook the idea of being thought still under tutelage. The first open appearance of the breach, however, was in the pettish reply which he gave to sir John Baird, one of the commissioners for the union, when he asked him if he would write for Tweeddale, who remained in Scotland as manager during his absence, to come up to London. "He may come if he please," said his grace, "but I will write for no man." When Tweeddale arrived, and was received with great magnificence by his own friends, Lauderdale exercised his rude raillery upon the occasion; and, in some petty squabbles that occurred, assumed the air of a master and a decided opponent to the supporters of the other.*

Lauderdale sole manager,

irritated at Tweeddale.

* Sir George Mackenzie mentions a squabble very descriptive of the times. "The chancellor dining at Blackbarrony's house, did express his dissatisfaction with the advocate and register for walking afoot on the streets, having so considerable an allowance; calling them 'damn'd lawyers.' This having been told them, they, but especially the advocate, resented deeply the expressions



The Bass Rock, from the South.

11. Immediately upon this rupture, the commissioner form- new arrangements, at the head of which was his brother itton, whose interest the countess of Dysart espoused, as treaty of marriage was in agitation between her eldest ughter and his son. Whilst these changes were going ward—the countess of Lauderdale, who had retired to)id being witness of her husband's infidelity, died at Paris. ithin six weeks after her decease, the earl married lady :sart,* and sir Robert Murray incurred the lasting dis- :asure of the noble pair, by having ventured to advise him ainst what he considered a disgraceful connexion; and is the only persons who were checks upon the violence of e earl's temper being removed from his confidence, his praved and furious passions devised and protracted in :otland a more hideous tyranny than had ever desolated at wretched country.

Change of administration.

He marries countess of Dysart.

111. The principal offices of state and in the courts of stice were appropriated entirely by the earl and his de- ndants; besides being king's high commissioner, he was esident of the council, sole secretary of state, one of the mmissioners of the treasury, captain of the castle of Edin- rgh, captain of the Bass,† agent at court for the royal

Offices held by him,

which the commissioner considering that they were Tweeddale's only sup- rts, stormed extremely, and swore he would complain of them to the king, persons who designed to divide the commissioners for the union by their itastic whimsies." Hist. p. 213.

* Lady Dysart was the eldest daughter of William Murray, who had been ge and whipping-boy (*i. e.* a slave to endure the chastisement young master rited—an improvement in education adopted subsequent to the days of Bu- nan) afterwards a gentleman of the bedchamber to Charles I., by whom he s created earl of Dysart. She was designed by her father to have been rried to sir Robert Murray; but the design was fallen through, and she mar- d, for her first husband, sir Lionel Talmash of Suffolk, a man of a noble fa- y, after whose death she lived with Lauderdale till his lady died, as men- ed in the text. Burnet, vol. i. pp. 359, 360. She inherited or assumed title after her father's decease. Towards the close of his life, she is said have used Lauderdale with great cruelty, after having got him in his dotage ettle every thing he could upon herself and her son by the former marriage he died June 1696. Her son Lionel lord Dysart inherited the avarice, but the extravagance of his mother.

† The Bass is a high insulated rock, at the mouth of the Frith of Forth, ut a mile in circumference, and was converted into a state prison. "Sir drew Ramsay having neither for a just price, nor by the fairest means, got

BOOK XVI.

1671. And his friends.

burghs, and one of the four extraordinary lords of session. His brother, lord Hatton, was treasurer-depute, general of the mint, and one of the lords of session; Athole was lord privy-seal, justice-general, captain of the king's guard, and one of the four extraordinary lords of session; the earl of Kincardine one of the commissioners of the treasury, vice-admiral of Scotland, and an extraordinary lord of session; sir James Dalrymple of Stair, a privy counsellor, and president of the court of session; and sir James Lockhart of Lee, lord Justice-clerk, to whose court five lords of session were conjoined, instead of the deputies whom the justice-general or the assessors whom the privy council had been accustomed to appoint, which rendered the justiciary, if possible, more devoted to the crown than the court of session.

IV. Scotland, at this period, presented a deplorable picture. The greater part of her nobility, beggared and dependant upon the crown, ruled the parliament, and exhibited the pernicious consequences of hereditary councillors, who inherited the legislative rights of their ancestors, without their virtues or their wealth; especially where, as in Scotland, the three estates of the realm met in the same apartment, and where the pride of birth and of rank claim-

State of the country.

a title to a bare insignificant rock in the sea, called the Bass, and to a public debt, both belonging to the lord of Wachton; my lord Lauderdale, to gratify sir Andrew, moves the king, under the pretence of this public debt, and that the Bass was a place of strength—like to a castle in the moon, and of great importance—the only nest of solan geese in these parts, to buy the rock from sir Andrew, at the rate of four thousand pounds sterling, and then obtains the command and profit of it, to be bestowed upon himself." Scotland's Grievances, &c. Sir George M'Kenzie thus states the transaction, "Sir Andrew Ramsay had, by obtaining 5000 lib. sterling to the duke of Lauderdale for the citadel of Leith, and other 5000 lib. to him for the new imposition, granted to the town by the king upon ale and wine, insinuated himself very far into the favour of his grace, and by his favour, had for ten successive years continued himself provost of Edinburgh, and consequently preses of the burghs: by which, and by thus having the first vote in parliament, he was very serviceable to Lauderdale, who, in requital of that favour, obtained 200 lib. sterling, per annum, settled upon the provost of Edinburgh,"—this seems to have been the first regular salary of the chief magistrate of the metropolis,—"and caused the king give him 500 lib. sterling, for his comprising of the Bass, a rock barren and useless; thus they were kind to one another upon his majesty's expenses Hist. pp. 246, 247

l a deference which the commons had not acquired an im- ortance sufficient to counteract. The majority of the gen- y, still respectable, who cherished the spirit of piety and dependence which had animated their fathers, were ex- uded from all offices of trust or influence by pernicious sts; and two-thirds of the industrious sober inhabitants of e country were persecuted and harassed for their reli- ous opinions;—the very habits, which, in the natural and dinary intercourse of life, made men good members of ciety, and loyal subjects, being prescribed as the marks sedition—and to finish the sketch, there was a standing my ready to enforce the commands of an almost despotic ing.

v. Could any thing aggravate the monstrous ingratitude f Charles, in endeavouring to enslave an affectionate peo- le, it would be the perfidious means by which he attempt- d to accomplish it, and the sacrifice of national glory to ensual selfish gratification. Lauderdale, after forwarding he wretched and faithless policy of the second Dutch war, was considered a fit instrument for employing to render one of the British nations an accomplice in establishing arbitra- ry power in the other. His office of commissioner, there- fore, was prolonged after the object for which it had been ostensibly bestowed, had failed; and, decorated with the title of duke, he was sent down to Scotland to hold the third session of his parliament. Previously to attending to busi- ness, he made a triumphal tour through the country to ex- hibit his new duchess, during which, a splendour and a ser- vility were displayed equal, if not superior to the royal pa- geantries of former times. His favourites vied with each other in munificent hospitality, and anticipated reimburse- ments from hateful monopolies or ruinous fines.*

Lauderdale returns to Scotland.

Makes a tour through it.

vi. At the opening of the parliament, [June 16,] his lady had chairs placed for herself and some of her atten-

Parliament

* "The laird of Boussie, a rich gentleman, was brought before him (Lauderdale) for hearing a presbyterian minister, whom he entertained as his chaplane, and was fyned in 27,000 merks: and this was given to the earl of Athol to clear Lauderdale's quarters, who, at this time, made a stately visit to the earl, with his lady and family, where, indeed, there was no complaint of want while they were there." Kirkton, p. 326.

BOOK XVI.

1672.

dants, where they sat in great state, and heard the commissioner deliver his speech—an honour never conferred on any of the Scottish kings' queens; and which, when contrasted with her origin and previous conduct, did not tend to exalt her in public estimation. Upon being assured that no money was required, the parliament unanimously, and with great cordiality, returned his majesty their hearty thanks for his gracious communication; approved of the war with Holland, and made in due form, the tender of their lives and fortunes for its prosecution.*

Approves of the Dutch war.

VII. The church next claimed attention; and as the bishops anticipated their full establishment when the old ejected ministers should have been worn out, and dreaded the prolongation of presbytery from a new and more zealous race, who had been called into action by the excitement of persecution, they procured an act, forbidding all ordination except by such as had legal authority, and subjecting to the penalty of imprisonment and transportation, all who violated the injunction, ordainers and ordained; by another, that every person who lacked a testimonial from the minister of the parish where he lived, importing that his child was baptized within thirty days of its birth, should be fined—heritors in a fourth part of their yearly rents, and merchants in one hundred pounds Scots. And then, as if in solemn mockery, it was decreed, that the 29th of May should be for ever kept as a day of rejoicing, by ringing of bells and bonfires, and of solemn thanksgiving to Almighty God for his signal goodness to the kingdom, in restoring his majesty to the throne of his ancestors, and thereby liberating the people from thraldom and bondage.

Acts in favour of the bishops, &c.

VIII. In the management of this session, the commissioner displayed the same boisterous, irascible and domineering haughtiness as in the former. It had been proposed to take away the summer session, and add a month or two to the winter in its stead; this motion, which a number of the west country members opposed, had been withdrawn—it was generally said—in consequence of some secret but powerful arguments used to the duke of Lauderdale by the citizens

Lauderdale's imperious conduct.

* Scottish Acts, viii. p. 68, 69.

Edinburgh, who were deeply interested in retaining the
rts as long as possible in the city. Sir Colin Campbell,
gess for Inverary, moved it again; at which Lauderdale
fury, exclaimed with an oath, "that it should never be
n away, except his majesty named another commissioner;
none should carry it, unless over his belly."

x. Notwithstanding the promise both in the king's letter
the commissioner's speech, that no subsidy should be
ired, his grace induced Athole to move in the articles:
hat although his majesty had declined asking, yet consi-
ng the exigencies of the time, and the expense of the war
Holland, the house was bound in duty to offer a grant,
the money might be in readiness, whatever unexpected
essity might arise; and the more generous the sovereign
ved himself, the more devoted loyalty should they exhi-

Milne, provost of Linlithgow—a ready sycophant—im-
liately proposed a twelvemonth's cess; which would
e been carried in the committee, had not the commis-
er himself, surprised at the extravagance of the offer,
d up his five fingers to Athole, who reduced the quota to
; but even to this reduced rate many of the nobility ob-
ed, as the country was exhausted of money, and owing to
, neither grain, cattle, nor fish could be exported: and
mber of them having met, it was resolved to oppose the
ction. The commissioner, who anxiously wished it pass-
then proposed that landholders should retain their an-
l rents—*i. e.* the interests of money due by them—in
ir own hands, to meet the tax; by which means, those
o were deeply in debt would be empowered to defraud
ir creditors of more than they were required to pay to
king:—a proposal which met with ready approbation
n the needy nobility and gentry.* When the act, how-
r, was brought into parliament, it met with considerable
osition. "They had had," it was said, "the royal as-
ance, that no subsidy was to be craved; nor was it just

Debate on granting a subsidy.

* "Our nobility here are numerous, above a hundred; but withal so gene-
broken through misgovernment, that the full payment of their debts would
er us at least of the one half; and of the other, there are not thirty that
be reckoned singly to L.500 per ann. of free estate, and almost all of them
under great burdens." Short Account of Affairs from Scotland.

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and reasonable that they should contribute to prolong a contest, by the continuance of which the country was impoverished; and for the support of which, his majesty, who certainly best knew the necessities of the state, and the conditions of the war, had assured them that they should not be burdened:—that ever since the restoration, the little money the usurpers had left had been drawn out in subsidies, and it would be proper for the parliament to let the people see at least one session without a cess. Nor could this cess avail in the present instance; if the enemy did not invade, it was useless, but insignificant if they did; for then nothing less than the cordial concourse of the whole kingdom could prove effectual, and the exacting such a tax would cool the affections of the people; nor had any former similar impositions tended to any thing but to drain the community to enrich courtiers and favourites." The freedom of this language displeased the commissioner, and he rushed to wreak his vengeance on one of the most insignificant of the oppositionists. Mr. Moor, an advocate, and burgess of Kintore, having suggested the propriety of consulting their constituents, as was usual in such cases in England, Lauderdale, in an ecstasy of rage, ordered the representative to be put to the bar for offering to impose the customs of England upon the parliament of Scotland; and the silence of the insulted assembly upon this humbling occasion, was only broken by the president of the court of session, who moved that the young man should be sent to prison till his crime could be more maturely considered, in order that their more important proceedings should not be interrupted; as if any proceedings could have been more important than vindicating their freedom of debate from such an outrage. The member was accordingly committed; and after a week's imprisonment, on his knees, asked pardon of the commissioner, to the everlasting disgrace of the pusillanimous estates, who, in his person, sacrificed their privileges, and exposed their meeting to derision.

Privilege of parliament invaded.

Servility of the parliament.

x. The only act of this parliament which appears not to merit censure, was one for restricting advocates' fees, and shortening processes; which, however pleasant to the people, was far from being agreeable to the faculty, and proba-

bly gave rise to a memorable stand which they afterwards made against an arbitrary measure of the court, and to the antipathy sir George Mackenzie evidently bore to Hatton, with whom he alleges the act originated.*

XI. Among the miseries with which Scotland was afflicted, the various monopolies deserve particular notice; not only from the extent of the suffering they occasioned, but likewise from the united opposition to which they gave rise:—the only serious resistance the power of Lauderdale experienced during his long and pernicious sway. The duty on salt, perhaps the most mischievous species of excise, even when levied in the most regular manner by public officers, became doubly pernicious in the hands of the salt masters; and the exchequer had, in consequence of the complaints, negotiated with them so far, that the general sale was transferred to the king's servants; but this arrangement was found to be worse than the former, and therefore, under pretext that the public would be better served, the earl of Kincardine farmed the trade from the crown. Immediately this necessary of life rose from four to fourteen shillings sterling per boll, while the article itself was deteriorated, and the supply deficient. The importation of brandy had been prohibited, in order to encourage home distillation; but the seisures, which were allowed to be sold, were granted to lord Elphingstone, the son-in-law of Hatton, and he, by granting licences to importers, rendered that spirit more plentiful and cheaper than ever, while he created for himself a handsome private exchequer. Tobacco was similarly disposed of to sir John Nicolson—but under a more decent pretext—to liquidate the bonds which the nobility had granted to his grandfather, sir William Dick, for the monies advanced by

Mismanagement of the finances.

* The following were the fees appointed by that act, which were apportioned according to the rank of the parties: "That the allowance of advocates in time comeing be regulate according to the quality of the persones who employs them, in manner following, viz. That for every consultation pleading thereupon, and drawing bills upon any interloquitor thereanent, altogether there be given at most to any advocate, by noblemen eightein pounds, [L.1, 10s.] by knights and barrons fifteen pounds, [L.1, 5s.] by gentlemen and chieff burgessis twelve pounds, [L.1,] and by all the rest of the people nine pounds, [15s.] And that nothing be allowed for drawing informations to be given to the lords after dispute bot to one advocate onlie the half of what is allowed for the consultation."

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him at the beginning of the civil war. Sir Andrew Ramsay, the provost of Edinburgh, obtained a gift of the duties of ale and wines consumed within that city, in consideration of a handsome present to the duke, whose brother Hatton not only adulterated the coin, but depreciated the current price of the leg dollar, in order that the merchants might find their advantage in bringing them to the mint; which, however, in fact occasioned their being carried out of the country. All Lauderdale's minions, his most distant relations, and even his servants, were gratified with gifts, or waited in expectation of new monopolies; for the act which gave the king the regulation of foreign trade, left every kind of merchandise at the mercy of the commissioner.

XII. By the laws respecting religious conformity, almost the whole population of every rank was exposed, either personally or relatively, to the exaction of severe fines; nor were the lucrative statutes allowed to remain as dead letters. In the small county of Renfrew, ten gentlemen—and these not the most opulent—were amerced in the enormous sum of nearly nine hundred thousand pounds Scots, or upwards of thirty thousand pounds sterling, besides what was levied in lesser penalties, and went into the pockets of the magistrates who exacted them. These, too, were monopolized and farmed out; and, while the commissioner's income—far exceeding what any former Scottish monarch had ever enjoyed—could not supply his expenditure, the deficiency was wrung from the estates of the most deserving part of the community.*

Severity against the non-conformists.

XIII. Leaving Scotland in a state of feverish inquietude,

* Scotland's Grievances State of Scotland, Wodrow, App. vol. i. Mackenzie, 242, *et seq.* Law's Memorials, p. 43-4. Burnet, vol. ii p. 84. "Lauderdale's allowance as commissioner is a most gross abuse. He called this parliament in order to a treaty of union with England. The parliament did end in a little more than two hours all that they did about it; and yet he hath kept it up near above these four years, and under this pretext gets vast sums; sixteen thousand pounds sterling for his equipage when first made commissioner, next fifty pounds sterling per diem during the two first sessions, and fifty pounds sterling per diem during the third, as long as he shall choose to continue this fourth session of parliament, and ten or fifteen pounds sterling per diem during all the time of its recesses." Short Account of Affairs from Scotland.

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Lauderdale's visit to England.

Lauderdale proceeded to London to receive the thanks of his sovereign, and further marks of his confidence. Emboldened perhaps by the success of his rash and imperious proceedings, the secret council in England meditated equally nefarious attacks upon the religion and liberty of that country, without adverting to the very different constitution of the parliament and condition of the people. The sufferings and the discontent of Scotland, however, though glossed over or concealed by the friends and retainers of the court, were neither unknown nor unheeded in the sister kingdom; a strong and unexpected opposition in whose parliament shook the confidence of the king, made him shrink from the danger of prematurely resorting to force, broke up the traitorous band of conspirators, THE CABAL, and for the time saved that country from bondage. The house of commons voted the duke of Lauderdale a grievance, and not fit to be employed in any office or place of trust; but he had got his commission renewed, and was returned to Scotland to meet, as he imagined, a more tractable parliament.

He is voted unworthy of public trust—returns to Scotland.

XIV. For once he was mistaken in his calculations; and, what patriotism alone could not effect, seemed about to be accomplished by the union of all who had been disappointed in obtaining shares in the government or in the public plunder, with those who were provoked at the arrogance, or oppressed by the avarice of the commissioner. The duke of Hamilton, disgusted at the refusal of Hatton, as depute treasurer, to pass his accounts, headed the faction along with Tweeddale, who already removed from the confidence of Lauderdale, was still more chagrined at being cut off from the prospect of inheriting his estates; the duke having broken the former entail, and preferred Hatton to his children. Queensberry, Hamilton's brother-in-law, joined from affection, and Rothes from discontent at losing the treasurer's staff. To these were added the advocates, displeased at the reduction of their fees, and through their influence the burghs, who were induced to resent an insult done to their body, under the impression they might do it with impunity, if not with advantage. On the night before the meeting of parliament, the chiefs of the opposition met secretly, and concerted their measures for taking Lauderdale and his friends by surprise.

State of parties there.

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xv. Next day—12th November—the parliament re-assembled. The king's letter, as usual, was read: in it his majesty thanked them for the subsidy they had granted last year, lamented that all his moderate proposals to procure just and honourable peace had been rejected by the enemy, and expressed his conviction of their hearty concurrence in every mean to procure the desirable end. "But one of the principal reasons of keeping this parliament," he added "is to the end that effectual courses may be laid down for curbing and punishing the insolent field conventicles and other seditious practices which have, since your last session, too much abounded. You are our witnesses, what indulgences we have given, and with what lenity we have used such dissenters as would be peaceable, and how much our favours have been abused; you have made many good laws, but still we have failed in the execution against the contemners of the law. We must now, therefore, once for all, lay down such solid and effectual courses as the whole kingdom may see that we and you are both in earnest, and that if fairness will not, force must compel the refractory to be peaceable and obey the law." After reading the letter, when it was proposed, in common form, that a committee should be named for framing an answer, the duke of Hamilton rose,* and required that the grievances of the nation might be first inquired into. A number of voices seconded the motion.

The king's letter.

Duke of Hamilton moves for an inquiry into the grievances.

xvi. At this unexpected explosion, the commissioner's friends were so astonished that they all remained mute, till the earl of Kincardine interposed, and represented that such conduct was derogatory to that high respect they owed the king, whose gracious communication demanded their first attention; and that the motion for the committee of grievances was an innovation upon all their old customs, among which a committee of grievances had never been heard of; the legal way of bringing any subject before parliament being by the lords of the articles. To this it was replied, that in the old constitution *domini ad querelas* were known as well as *domini ad articulos*, and so late as Middleton's par-

* A younger son of the house of Douglas, who had married the heiress and obtained, by the courtesy of Scotland, the titles of Hamilton.

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liament, there were lords of bills as well as lords of articles; —the first being necessary for bringing forward what grievances are proposed to be redressed in favour of the people, as the other is for preparing what is to be offered to the parliament by the king: nor did the parliament, by nominating a committee of articles, deprive themselves of the right of nominating committees for other purposes; or of considering, in the first instance, what was the most proper subjects for their discussing. The word, grievances, it was answered, was unknown in Scottish law, nor were *domini ad querelas* committees for grievances—but only committees appointed for private cases, where these were too numerous to be heard by the articles, as in Middleton's parliament, where so many cases arose out of the circumstances of a recent rebellion. The debate growing warm, Lauderdale interposed in his haughty and imperious manner to overawe the speakers. But sir Patrick Home of Polwart spiritedly asked whether it was not a free parliament? and the court party perceiving that this was not a time to push matters to extremity, proposed to adjourn, and that in the interim some of the ablest men on each side might meet to deliberate upon what was required, and what would be the most proper way for redressing the grievances. A deputation in consequence met in the Abbey, when Lauderdale offered to withdraw the monopolies of salt, brandy, and tobacco; but the other party informed him that it was not in their power to accede to any propositions proposed privately while parliament was sitting, and they separated without coming to any agreement. The commissioner thought these concessions ought to have satisfied them; while they looked forward to his removal—as he was the chief obstacle in the way of their ambition—and trusted to the popularity of their pretensions for effecting their purpose. Both endeavoured to ingratiate themselves with the people:—Lauderdale abolished the odious restrictions, but the oppositionists declaimed loudly upon preventing such abuses for the future; of filling the judicatories with upright judges; of reforming the mint, and allowing some relief to tender consciences. The act against the advocates was also prepared to be rescinded; but it was remarked that none of the infamous acts against the presby-

Violent debate on the subject.

Concessions offered by Lauderdale refused.

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terians were mentioned by the party as requisite to be annulled; and they who now knew law only by its injustice, felt little sympathy with the lamentations of lawyers: nor did the people, whose almost only coin was to pay exorbitant contributions, feel great anxiety whether the currency were sterling or debased.

Impeachment of sir Andrew Ramsay.

XVII. In the midst of these contentions the opposition determined to impeach one of Lauderdale's chief tools—sir Andrew Ramsay, provost of Edinburgh—who, from his official situation as first magistrate of the capital, had considerable interest with the burghs, by his own and his leading votes in parliament. He had held this situation for ten years, and conducted himself so tyrannically in it—applying the common good to the use of himself and friends, inventing new employments and unnecessary offices within the town to provide for his dependents—that the citizens, weary of the yoke, resolved to turn him out at the election 1672, and would have prevailed if two of their number had not refused to vote—supposing the question would have been carried without them, and that they thus would have preserved their credit with both parties;—in consequence sir Andrew had a majority, and the citizens were forced "to intent a reduction of his election." The case being intimated to the chancellor and president, they ordained an act to be passed in the council of Edinburgh, declaring that none should be provost for longer space than two years successive, and this act to be sworn by the then present and every succeeding council. The act was accordingly subscribed by sir Andrew and the whole council. Notwithstanding, assisted by his good friend archbishop Sharpe, he determined to stand next year; and having created a sham riot by means of his servants, he wrote to court complaining of a tumult raised by the people against their magistrates. In answer to this letter, an order came to the privy council to inquire into and punish the authors of the sedition. This inquiry was committed to the friends of sir Andrew, who privately examined a number of witnesses and reported: in consequence a letter came from his majesty, deposing the town-clerk, Mr. James Rochead, as accessary to the tumult, without even allowing him to be heard in his defence. Such was the ter

ror occasioned by this proceeding, that no further opposition was made to sir Andrew's re-election for the twelfth time! Now, however, when the commissioner's power seemed to waver, some of the citizens were prevailed upon to sign the accusation against him, founded upon these very acts of parliament which Lauderdale had found of such service against his enemies, but which were now turned with effect against himself and his friend. "Albeit by the act against billeting, it was declared a crime in any man to endeavour to thrust any of his majesty's subjects out of their employments, without a formal and legal sentence, yet he the said sir Andrew had procured a letter from his majesty to thrust Mr. James Rochead out of his employment as town-clerk of Edinburgh; and albeit the making lies betwixt the king and his people was punishable by death, yet he had represented to his majesty that the town had risen in a tumult against the king, and had thereupon procured another letter, commanding the privy council to proceed against the chief citizens as malefactors." As the charges in this impeachment reached, by implication, the commissioner himself, who had procured the letters, it was deemed expedient to quash all farther proceedings by sacrificing the knight, who was forced to demit both his offices, as lord provost of Edinburgh, and as lord of session:—a conclusion which appears to have given very universal satisfaction, even to those who favoured the ruling party; there is something so highly gratifying in observing the retributive justice of providence, when men who have stretched the law in attempting to injure others, themselves suffer by the operation of those same legal subtleties which they have called into exercise with very different intentions!

He is turned out of office.

XVIII. Perceiving that, in their present mood, there remained no hope of his being able to manage the parliament, Lauderdale prorogued it; and foreseeing that the malecontents would hasten to court with their representations, he recalled his brother Hatton,* who had remained in Lon-

Parliament prorogued.

* Hatton, besides being inadequate to the delicate task of managing his brother's interest in such a hazardous conjuncture, was also himself placed in a very awkward situation; on being accused of deteriorating the coin, a trial had been made in his majesty's presence in London, when the English judges

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don as Scottish secretary during his absence, and despatched Kincardine to supply his place, with fresh instructions to anticipate their complaints, and counteract their measures, with which he was already acquainted, the governor of Berwick having intercepted their letters and sent them to him. Hamilton, Tweeddale, and major-general Drummond, on their arrival in London, were coolly received by the king; who reproached them with endeavouring to sap the foundations of his authority in Scotland, by introducing subjects into parliament without previously submitting them to the articles—which he considered the surest guard of his government—and endeavouring to force him to give up his most faithful servants; but this he said he was determined he would not suffer to be done, neither by billeting, as Middleton had attempted, nor by the intrigues of those who wished for their offices, as he believed was the case now. He however assured them he would attend to the grievances of the country, and should ever be ready to adopt any proper and respectful means which were offered him for their redress.

Reception of Hamilton, &c. by the king.

Cause of his moderation.

Proceedings of the English parliament.

XIX. The powerful combination, both in England and Scotland, against his ministers, forced Charles to use conciliatory language, and Lauderdale to adopt more cautious and temporising methods than were natural to him. At this time the English parliament had not only renewed their application for the removal of Lauderdale from all his employments, but had appointed a committee to inquire into the proceedings in Scotland, by which an army had been ordered to be raised and authorized to march into England by the sole authority of the privy council of that kingdom, and into all other measures which tended to create a breach of amity between the two nations; and both the king and Lauderdale dreaded too close a connexion between Shaftesbury and the leaders of the English opposition, and Hamilton and those

gave it against the master of the mint, who was under the necessity of having recourse to the plea of "false coiners," and come down to Scotland, where the business could be more fairly investigated by the essaye-masters, who kept a part of every melting in an essaye-box to prove the purity of the metal, whatever it did as to the weight. They of course gave it in Hatton's favour Law, 59. Mackenzie, 263

of the Scottish party. His majesty, therefore, when he perceived the untractable disposition of the house of commons, dismissed Hamilton and the Scottish dissenters with the strongest assurances that their grievances should be left to the full and free deliberation of parliament.

The king's assurances to Hamilton,

xx. Hamilton announced the royal pleasure to his friends, and hastened down, during a tremendous storm, to concert with them the plan of procedure for the ensuing important session. Upwards of a thousand horse waited to escort him on his return, and when he proceeded to parliament he was accompanied by a splendid train, while the commissioner entered almost alone. It had been resolved by Hamilton's party to move, immediately after prayers, that an answer should be returned to the king's letter, and to narrate in it the whole of their complaints—hoping by this means to prevent any adjournment, at least till these were discussed; but no sooner was prayer ended than the house was adjourned by his majesty's command. When Hamilton proposed to answer the king's letter, he was told it was too late, they were now no parliament; and the enraged members were forced to depart with the hopes of being perhaps more successful upon some other occasion:—but no opportunity was ever allowed them to assemble. The parliament was shortly after dissolved by proclamation—a thing never before known in Scotland—nor was another called during the administration of Lauderdale; who set an example to his master of first prevailing upon servile parliaments to enact oppressive and tyrannical statutes, and then to rule the subjugated land without even the form of their approbation:—a solemn and an important lesson to free parliaments to beware how they betray the least of their privileges into the hands of royalty; or how, by surrendering constitutional checks, they enable an unprincipled or a profligate ministry to maintain their seats, in opposition, not only to the interest, but the will of the nation. Exasperated at their disappointment, some of the Hamilton party proposed to assassinate Lauderdale, but the duke would not listen to such a proposal.

shamefully violated—parliament suddenly adjourned.

Dissolved by proclamation.

xxi. Although religious persecution, the worst grievance of the country, had not been mentioned during the political

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conflict of parties, yet the presbyterians flattered themselves that their interests would not be entirely forgotten; and whichever side prevailed, they looked forward with the ruined man's consolation, that they could not be worse:—so apt is the human mind in adversity to seize upon the slightest speck in the sky that seems to promise a brighter prospect for the future. In the mean time they enjoyed a temporary relief, and their zeal improved it to the increase of conventicles, which multiplied everywhere; nor was it believed that either of the contending dukes was displeased at this—each hoping the other would be implicated in the blame of these disorders.

Covenanters enjoy a temporary relief.

XXII. Whether from policy or from some transient fit of compassion, Lauderdale obtained from the king an act of grace, which he published with great solemnity at the cross before he left Edinburgh; all the fines, arrears of cess and levy-money, for which bonds had not been granted, were discharged, and all accession to conventicles preceding that date was pardoned. But this show of clemency, which was objected to by lawyers as an illegal stretch of the prerogative, and by the ministers as too circumscribed, —having no prospective operation—was in general received by the people as a mark of the commissioner's approbation of their field meetings; and it was currently reported and believed that he had promised to procure ample liberty from the king for the outed ministers. So general was this persuasion, that he had scarcely gone for London when conventicles sprung up in every quarter; and regular preaching stations were fixed in the hills, mosses and moors, not only on the borders, in the south, and in the west, but in Stirlingshire, Perthshire, Lennox, the Lothians, and Fife, attended by multitudes every Sabbath, where the warm, energetic exhortations of Welsh, Semple, and a band of fearless preachers, produced the most powerful and lasting effects upon the manners and morals of the people; though Kirkton laments that while many a soul was converted to Jesus Christ, far more were merely turned from the bishops to profess themselves presbyterians.

Act of grace.

Its effects, —field preaching universally established.

XXIII. Some idea of the nature of these meetings may be

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formed, and of the effects they were calculated to produce, from the description of a communion service drawn up by Mr. Blackader, one of the officiating ministers:—

Commu-nion in Ti-viotdale.

"At the desire of several people in the Merse, Mr. Blackader, and some other ministers, had resolved on a meeting in Tiviotdale, and day and place was fixed for keeping a communion; but from apprehensions of danger, this resolution was changed, as it was feared they might come to imminent hazard. It was agreed to delay it a fortnight; and advertisement was sent to the people not to assemble. The report of the first appointment had spread throughout the country, and many were prepared to resort thither from distant and divers quarters. This change had occasioned great uncertainty: some had taken their journey to the Merse, willing to venture on a disappointment, rather than miss so good an occasion by sitting still. Mr. Blackader was determined to go, seeing his stay would discourage others: and if kept back, they would blame him. He told them it was not likely the meeting would hold; yet, lest any should take offence, he was content to take his venture with them. On Friday night he took horse, accompanied with a small body of attendants, and was joined by Mr. John Dickson at the port, who rode with him eleven miles that night. Many people were on the road, setting forward to be in time for sermon on Saturday morning. Not a few bewest of Edinburgh, hearing the report of the delay, remained at home, and others returned on the way. Nobody was certain, either from far or near, till they reached the place; where they would all have been disappointed, if providence had not ordered it better than human arrangement; for the earnest entreaties of the people had prevailed with Mr. Welsh, in the same way as Mr. Blackader, to venture at a hazard. And had it been delayed a day or two longer, it would have been utterly prevented, as the noise was spread, and the troops would have been dispersed to stop them.

Meantime the communion elements had been prepared, and the people in Tiviotdale advertised. Mr. Welsh and Mr. Riddel had reached the place on Saturday. When Mr. Blackader arrived, he found a great assembly, and still gathering from all airts; which was a comfortable surprisal

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in this uncertainty; whereat they all marvelled, as a new proof of the divine wisdom, wherewith the true Head of the church did order and arrange his solemn occasions. The people from the east brought reports that caused great alarm. It was rumoured that the earl of Hume, as ramp a youth as any in the country, intended to assault the meeting with his men and militia, and that parties of the regulars were coming to assist him. He had profanely threatened to make their horses drink the communion wine, and trample the sacred elements under foot. Most of the gentry there, and even the commonality, were ill set.

Upon this we drew hastily together about seven or eight score of horse on the Saturday, and equipped with such furniture as they had. Picquets of twelve or sixteen men were appointed to reconnoitre and ride towards the suspected parts. Single horsemen were despatched to greater distances, to view the country, and give warning in case of attack. The remainder of the horse were drawn round to be a defence at such distance as they might hear sermon, and be ready to act if need be. Every means was taken to compose the multitude from needless alarm, and prevent, in a harmless defensive way, any affront that might be offered to so solemn and sacred a work. Though many, of their own accord, had provided for their safety—and this was more necessary, when they had to stay three days together, sojourning by *lions' dens and the mountains of leopards*—yet none had come armed with hostile intentions.

We entered on the administration of the holy ordinance, committing it and ourselves to the invisible protection of the Lord of Hosts, in whose name we were met together. Our trust was in the arm of Jehovah, which was better than weapons of war, or the strength of hills. If the God of Jacob was our refuge, we knew that our cause would prosper;—that in his favour there was more security than in all the defences of art or of nature. The place where we convened was every way commodious, and seemed to have been formed on purpose. It was a green and pleasant haugh, fast by the water side, (the Whitadder). On either hand there was a spacious brae, in form of a half round, covered with delightful pasture, and rising with a gentle slope to a goodly



Covenanters' Communion.

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t. Above us was the clear blue sky, for it was a sweet alm Sabbath morning, promising to be indeed one of ays of the Son of man. There was a solemnity in the befitting the occasion, and elevating the whole soul pure and holy frame. The communion tables were d on the green by the water, and around them the peo- ad arranged themselves in decent order. But the far er multitude sat on the brae-face, which was crowded top to bottom, full as pleasant a sight as was ever seen at sort. Each day, at the congregation's dismissing, inisters, with their guards, and as many of the people uld, retired to their quarters in three several country ; where they might be provided with necessaries for and horse for payment.

veral of the yeomen refused to take money for their pro- is, but cheerfully and abundantly invited both ministers entlemen each day at dismissing. The horsemen drew a body till the people left the place, and then marched odly array at a little distance, until all were safely lodg- their quarters; dividing themselves into three squa- , one for each town where were their respective lodg- s. Each party had its own commander. Watches regularly set in empty barns, and other out-houses, e guards were placed during the night. Scouts were to look about, and get intelligence. In the morning, the people returned to the meeting, the horsemen ac- anied them: all the three parties met, a mile from the and marched in a full body to the consecrated ground. congregation being all fairly settled in their places, the dsmen took their several stations as formerly.

ese accidental volunteers seemed to have been the gift ovidence, and they secured the peace and quiet of the nce; for from Saturday morning, when the work began, Monday afternoon, we suffered not the least affront or station from enemies, which appeared wonderful. At there was some apprehension; but the people sat un rbed, and the whole was closed in as orderly a way as d been in the time of Scotland's brightest noon. And, , the spectacle of so many grave, composed, and de-

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vout faces, must have struck the adversaries with awe, and been more formidable than any outward ability of fierce looks and warlike array. We desired not the countenance of earthly kings; there was a spiritual and divine Majesty shining on the work, and sensible evidence that the Great Master of assemblies was present in the midst. It was, indeed, the doing of the Lord, who covered us a table in the wilderness, in presence of our foes, and reared a pillar of glory between us and the enemy, like the fiery cloud of old, that separated between the camp of Israel and the Egyptians, encouraging to the one, but dark and terrible to the other. Though our vows were not offered within the courts of God's house, they wanted not sincerity of heart, which is better than the reverence of sanctuaries. Amidst the lonely mountains, we remembered the words of our Lord, that true worship was not peculiar to Jerusalem or Samaria; that the beauty of holiness consisted not in consecrated buildings, or material temples. We remembered the ark of the Israelites, which had sojourned for years in the desert, with no dwelling-place but the tabernacles of the plain. We thought of Abraham, and the ancient patriarchs, who laid their victims on the rocks for an altar, and burnt sweet incense under the shade of the green tree.

The ordinance of the last supper, that memorial of his dying love till his second coming, was signally countenanced; and backed with power and refreshing influence from above. Blessed be God, for he hath visited and confirmed his heritage when it was weary. In that day, Zion put on the beauty of Sharon and Carmel; the mountains broke forth into singing, and the desert place was made to bud and blossom as the rose. Few such days were seen in the desolate church of Scotland, and few will ever witness the like. There was a rich and plentiful effusion of the Spirit shed abroad on many hearts. Their souls, filled with heavenly transports, seemed to breathe in a diviner element, and to burn upwards, as with the fire of a pure and holy devotion. The ministers were visibly assisted to speak home to the conscience of the hearers. It seemed as if God had touched their lips with a live coal from his altar.

or they who witnessed declared, they carried more like ambassadors from the court of heaven, than men cast in earthly mould.

The tables were served by some gentlemen and persons of the gravest deportment. None were admitted without tokens, as usual, which were distributed on the Saturday, but only to such as were known to some of the ministers, or persons of trust, to be free of public scandals. All the regular forms were gone through: the communicants entered at one end, and retired at the other,—a way being kept clear to take their seats again on the hill-side. Mr. Welsh preached the action sermon, and served the first two tables, as he was ordinarily put to do on such occasions: the other four ministers, Mr. Blackader, Mr. Dickson, Mr. Riddel, and Mr. Rae, exhorted the rest in their turn: the table service was closed by Mr. Welsh, with solemn thanksgiving—and solemn it was—and sweet and edifying to see the gravity and composure of all present, as well as all parts of the service. The communion was peaceably concluded; all the people heartily offering up their gratitude, and singing with a joyful noise to the Rock of their salvation. It was pleasant, as the night fell, to hear their melody swelling in full unison along the hill, the whole congregation joining with one accord, and praising God with the voice of psalms.

There were two long tables, and one short, across the head, with seats on each side. About a hundred sat at every table: there were sixteen tables in all, so that about three thousand two hundred communicated that day.

The afternoon sermon was preached by Mr. Dickson, from Genesis xxii. 14; and verily might the name of the place be called Bethel, or Jehovah-jireh, where the Lord's power and presence was so signally manifested. After so thick and fearful a darkness had overshadowed the land, the light of his countenance had again shone through the cloud with dazzling brightness, and many there would remember the glory of that day. Well might the faith of the good old patriarch be contrasted with their's on that occasion; they had come on a journey of three days into the wilderness to offer their sacrifice: they had come in doubt and perplexity as to the issue; but the God of Jacob had been their refuge

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and their strength, hiding them in his pavilion in the evil day. The whole of this solemn service was closed by Mr. Blackader on Monday afternoon, from Isaiah liii. 10."*

xxiv. But the delusive prospects of the presbyterians were of short duration—Charles was implacable; and when Lauderdale came to court, he denounced the opposite faction as the cause of the disorders. Hamilton, Tweeddale, and their friends, were invited to revisit Whitehall, and desired to state their grievances in writing; they did so, but refused to sign it, notwithstanding they had the "word of a prince," that it should never be used against them. They knew too well the treachery of that prince, and the terrible extent of the statute against leasing-making, to trust themselves to the mercy of the monarch, and they returned to Scotland without having effected any thing in favour of themselves or their country. Their complaints, however, kept alive the jealousy and the fears of the English. The commons afterwards presented a long address against Lauderdale, displaying his despotical principles, and enumerating his tyrannical acts; declaring the liberty of the country in danger, and the peace of the two nations insecure, so long as he remained in power, and praying that he might be for ever excluded from his majesty's council and presence.† The effect was to root him more firmly in the affections of Charles.

Unsuccessful visit of Hamilton, &c. to court.

House of commons' address against Lauderdale.

Its effect.

xxv. All in the Scottish privy council who were inimical to Lauderdale, except Hamilton, were removed; and letters immediately transmitted to stimulate them to fresh severities against the house and field conventicles. Rumours of these letters excited considerable alarm; but as the men durst not openly appear with any remonstrance, under pain of imprisonment or fine, the ladies of Edinburgh determined to step forward upon the occasion, and try what effect a supplication from females would have upon these noblemen, now the associates of cavaliers renowned for gallantry. Fifteen—chiefly ministers' widows—undertook to pre-

Change in the Scottish council—ordered to proceed against conventicles.

* Crichton's Life of Blackader, p. 198, *et seq.*

† Bishop Burnet, in his examination before the house of commons, discovered the intention of the commissioner to have marched a Scottish army into England to support the measures of the Cabal, if the king had not shrunk.



Mrs. Livingstone presenting the Petition to Lord-Chancellor Rothes.

Vol. iv. page 878.

sent, to as many of the principal lords of council, each of them a copy of a petition, praying that the "honest ministers throughout the land, and in that city, might be permitted lawfully, and without molestation, to exercise their holy function, as the people should in an orderly way call them." Upon the 4th of June, the first day in which the new council met, the whole parliament close was filled with women. The primate accompanied the chancellor, and terribly affraid at the crowd, stuck close by him for protection. Mr. John Livingston's widow presented her copy of the petition first, which Rothes received courteously, read it, and listened with apparent attention to the lady's eloquence; who, to enforce her arguments, or to secure her hearer, held him by the sleeve, while he inclined his head, and thus they walked together to the council-chamber door. Sharpe, who sneaked behind, was assailed with the epithets of Judas and traitor; and one of the heroines drawing near him, laid her hand on his neck, and told him "ere all was done that neck behoved to pay;" but no other incivility was used, nor any outrage attempted. Stair, president of the court of session, was the only lord who behaved uncourteously upon the occasion. When the petition was presented to him, he threw it upon the ground, which provoked the galling taunt from some of the bystanders, "that he had not so treated the remonstrance." When the council convened, the petition was voted a seditious libel, and about a dozen of the subscribers were called in, one after another. Upon examination, they declared no man had any hand in the paper, and that they were induced to this unwonted procedure, from a sense of their own desolate condition, while the pulpits were filled with ignorant and profane men whom they could not hear. The culprits were then enclosed in a room together, and the provost and guard sent for to disperse the crowd; but they refused to withdraw without their companions: and the magistrates being ashamed to proceed to extremities, the council for once displayed a little courtesy, and let go the prisoners. Next day, however, repenting of their politeness, they summoned the subscribers, three of whom were thrown into prison, and the rest denounced rebels.

1674. The ladies of Edinburgh petition in favour of the outed ministers.

It is voted seditious.

Proceedings against its subscribers.

XXVI. Seldom, if ever, have any political parties existed

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whose actions can bear the strict scrutiny of succeeding ages. There is so much stirring for private interest cloaked under professions for the common weal, that, were it not for some few redeeming characters, one would be almost tempted to pronounce, that no such thing as public virtue ever existed among either statesmen or politicians;—unfortunately none such appeared in Scotland in the reign of Charles II.—The following, which has been marked as patriotic resistance on the part of the lawyers, appears to me to have been only the petty writhings of party feeling. What originated it, was undoubtedly Lauderdale's despotism:—he had checked the nobles, and only wanted to check the commons and the bar; and a private quarrel enabled him to do so. The earl of Callendar was married to the duke of Hamilton's daughter; the earl of Dunfermline was uncle to the duke of Lauderdale. A private lawsuit between these two noblemen was naturally espoused by the friends of both, and all the virulence of political animosity mingled in the dispute. As parties stood, Lauderdale had the court of session entirely at his back; but at present he was in a minority in parliament: he therefore determined that the court of session should decide the question before he departed for London, and to sit himself as an extraordinary judge upon the occasion. But a statute concerning the regulation of judicatories, enacted so late as 1672, expressly provided that every cause to be heard in the inner-house, should be marked and called according to the date of its registration; and if any cause was called by anticipation out of its due course, neither party was bound to appear or plead; and although the parties should not object, the clerks were forbidden to engross or to extract the decision of the court. To get the better of a rule so explicit, in an act which had been almost forcibly carried by the commissioner himself, in opposition to the remonstrance of the lawyers, required a total want of every principle of modesty or of moral feeling; but a wretched quibble satisfied the conscience of the president, and served to reconcile the rest to this legal wrong. The case had never been enrolled; therefore it was not calling it out of its due order on the rolls, to call it before all those that were. An interlocutor in favour of the earl of Dunfermline

Plea between earls Callendar and Linlithgow

Lauderdale's unwarrantable interference.

followed of course. Sir George Lockhart, Callendar's advocate, who knew that Hamilton's interest would carry it in parliament, advised an appeal, which was immediately lodged. Although this was no unprecedented proceeding, yet the purity of the bench having been challenged, and the appellant's leading counsel—who stood highest at the bar—supposed to be looking up to the president's chair, not only the private interest of Lauderdale's uncle, but of the president, required that no appeal should be allowed in the present case; and sir George Lockhart and sir John Cunningham being required to swear to the advice they had given, they refused to comply with this arbitrary mandate.

1675. An appeal entered against the decision of the court of session.

XXVII. Lauderdale, when he went to England, carried with him a letter from the court of session, declaring the legality of his conduct, and humbly intreating his majesty's opinion upon a representation of the case; and enforced by a most cogent argument, the reasons against any appeal from the decisions of the bench;—"in the session the king had the sole nomination of all the judges, whereas the parliament was not of his election." Charles could not withstand this logic; and, in a letter to the session, declared his intention constantly to maintain the authority of that court against all encroachments that might be attempted against it; expressed his dissatisfaction with, and abhorrence of the appeal, and his pleasure that care should be taken to prevent like practices in future. He at the same time ordered solemn intimation to be made to all connected with the college of justice, that none of them should presume to speak or suggest any thing that might import charging the sentences of the lords of session with injustice; and intimated that no further proceedings should take place against those who gave in the late appeal, or the advocates who refused to give their oaths respecting their accession, provided these advocates solemnly disavowed the right of appeals; but in case of refusal, they were to be debarred from the exercise of any part of their functions in time coming. Lockhart and Cunningham were, upon the receipt of this letter, called before the lords, and had the royal pleasure intimated to them; but they adhered to the opinion they had expressed, that the appeal was legal, and were in consequence debarred

Lauderdale's conduct defended by the court.

Approved by the king.

Proceedings against the advocates who advised the appeal.

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from practice during his majesty's pleasure. About fifty advocates followed these eminent lawyers out of the session house, and were also debarred, and exiled twelve miles from Edinburgh. But the bar was divided between the Hamilton and the Lauderdale factions, and those who had at all taken any active share in the business of the appeal, were forced, not more for the sake of consistency, than for interest, to adhere to the side they had espoused; because, by disavowing the right of appeal, they ran the risk of incurring a charge of high treason for disowning the authority of parliament; and at this period there was a probability that the appealers would have a majority on the first meeting of that assembly.

They endeavour to secure the burghs.

XXVIII. Excluded from the capital, and the exercise of their professional duties, they applied themselves to secure their interest with the burghs, in a meeting that was to take place at Stirling. But bailie Baird, who represented Edinburgh, perceiving that their's was a declining cause, with a policy not always neglected by the bailies of the same city even at this day, chose to withdraw, and the meeting adjourned. When the convention met in the capital, they received a royal mandate, desiring them to consider how much prejudice they suffered from being represented in parliament by the dependants of the nobility, to assert their independence, and renew the good old acts of the burghs, which prevented any but persons in trade from being elected. The advocates who knew that this admonition was levelled at them, and was intended to reduce the burghs to an entire dependance upon Lauderdale, circulated among the members "reasons" why the absolute regulations were never in application:—"That the burgesses and traders being unacquainted with law, and unaccustomed to public speaking, were unable to defend their privileges and the general interest of the kingdom, and that their only safety lay in choosing able men who could stand between them and the other two estates, when there was any collision of interests; and that the electing of such men was the only expedient by which the parliament of England preserved its liberty, and the nation their privileges. Nor was there any hazard to trade by choosing such as were not traders, for

The king's order to the convention.

Advice of the advocates.

there would still be many who were, and could instruct such as were not, provided they were honest; and although the burghs would not restrict themselves to traders, by reviving old acts, yet this did not prevent them from choosing traders, if these were the best qualified. Besides, the hazard of prelimiting the parliament, by their presuming to determine for the burgh who they should choose as members, was strongly urged upon the convention." An answer in accordance with these sentiments, respectfully asserting the unrestrained rights of election, was returned to his majesty; but the least opposition to the royal will was deemed sedition, and the privy council fined the provosts of Glasgow, Aberdeen, and Jedburgh, for being the authors of a paper, which, in fact, was drawn up by sir George Mackenzie, sir George Lockhart, and Mr. Walter Pringle.

Answer of the convention to the king.

Members of it fined.

xxix. Foiled in their manœuvres with the burghs, the appellants presented an address to the privy council, satisfactorily establishing the right of appeal, both from precedent and acts of parliament; and the propriety as well as legality of their refusing to answer upon oath, except in matters of treason, particularly in what might tend to discover the practice of their employments between them and their clients; but, though distinguished by some exquisite sarcasm on the court of session,* so far from breathing any thing like a noble spirit of independence, it is marked by a servile crouching to royal prerogative, common to the whole profession of that day. They acknowledged their sacred and undoubted sovereign to be most just and gracious, and that they were unworthy to breathe in his dominions, if their loyalty, allegiance, and duty to his majesty's interest and service, were not so eminent and exemplary as might be justly expected from persons of their station, capacity, and knowledge; de-

Advocates address to the council.

* After having stated their reasons for appealing very strongly and clearly, they add, "as the petitioners acknowledge, there are eminent lawyers upon the session of deserved reputation; so if the lords of session, by an act of sederunt or otherwise, will plainly and clearly declare that protestations for remeid of law to his majesty and estates of parliament, were, and are in themselves unlawful; and that the parliament cannot therefore review and rescind their decreets if they find just cause; the petitioners will so far defer to their authority, as to be concluded thereby, and satisfy what was prescribed by the lords of session as to that point." Humble address of the Advocates, &c.

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testing from their very souls all disloyal practices, which in the least tend to the diminution of his majesty's prerogative, power, and greatness, in the preservation of what they declare themselves fully convinced is bound up the happiness, peace, and security of his majesty's subjects. But these high sounding professions were unavailing; the privy council voted the petition seditious, transmitted it to the king, and processed the subscribers. A deputation was sent to London to explain the conduct and motives of the appellants, and defences were given in to the privy council by those who remained; but while the cause was pending, sir George Mackenzie called together all the advocates who remained, and representing to them the folly of contending with their prince, or adhering to a faction unable to protect them, they all agreed to a submission, throwing themselves entirely upon his majesty's mercy; to which, after some reluctance, their leaders, who were at court, also acceded. "Thus," says sir George, "the storm spent itself without prejudice to the authority it had opposed; all rebellions being still found either to fix or to destroy the power against which they are raised:"—and the right of appeal from the decision of the court of session remained, like other grievances, to be redressed by a revolution; one of whose happy consequences it was, to free that court from the influence of the crown, and to render appeals to parliament less necessary.*

Voted seditious.

The advocates submit.

xxx. There are no traces of the advocates having ever suffered more for their opposition. Lauderdale rested sa-

* Mackenzie's History, A. D. 1674–5. Crawford's Hist. MSS. Kirkton. Law's Memorials. I have chiefly followed the narration of Mackenzie with regard to the facts, because, being so intimately connected with the proceedings, he could not be mistaken in the principal public transactions; but I cannot give him implicit credit when these are not borne out by the papers he produces, or by corroborative evidence. The book being imperfect, contains several apparent contradictions, which, perhaps, had it been complete, might have been reconciled. In this statement, for instance, he tells us, p. 294. that sir John Cuninghame went to London, and was followed by sir George Lockhart and sir Robert Sinclair; but these two latter lurkt near North Allarton, without acquainting even their own wives of their residence, to wait till the issue of the process before the privy council, which they left sir George to brave, should be known; yet, before it was settled, we find, p. 369, *four* of the advocates at London. But the whole of his work must be considered rather as an apology than a history.

tisfied with their submission, and even received some of their most active leaders into favour; but the burghs were made to feel the weight of his vengeance for having dared to assert their rights. Edinburgh, as first in rank, was, upon a frivolous pretext,* prohibited from electing their magistrates for a twelvemonth; nor was the wretched privilege of appointing as civic rulers creatures nominated by the higher powers restored to them, till their commissioner to the convention had lent his aid† to lay the liberties of the whole at the feet of his majesty.

The burghs punished.

XXXI. Goaded by the complaints of the bishops, the king wrote repeatedly to the privy council of Scotland to enforce the laws; and upon an ill-founded report of some resistance to an attempt to disperse a conventicle, preparations were made for invading the western counties by an army from Ireland. A thousand soldiers were ordered to hold themselves in readiness to march from Berwick; and although in a state of profound peace, an additional force was ordered to be raised, and the militia in the different counties to be prepared for action. But the oppressors knew that they merited, and therefore they dreaded the tumultuous vengeance of the people; nor can any thing account for that long continued quietness, except the prevalence of these principles which their rulers were attempting to extirpate. Some disturbances did take place from the employment of that universally detested race of miscreants, *spies*, who, mingling with the congregations under the semblance of greater zeal, urged to resistance the unsuspecting or the rash; but nothing beyond the importance of a trifling scuffle had taken place, when, in addition to all other means of oppression, the seats of ten gentlemen and two noblemen, living in different parts of the country, were seized and garrisoned under the

Preparations for invading Scotland.

Private houses garrisoned.

* Instead of electing the magistrates upon the first Tuesday after Michaelmas, they had elected them upon Michaelmas day!

† In a convention of the royal burghs that met at Glasgow, July 8, 1675, the convention razed from their records the letter to the king asserting their rights; agreed to revise the old acts relative to the qualifications of commissioners to parliament, and "fortified the same by adding such certificates as would secure them from all fear of innovation for the future." Letter from the Convention to his Majesty. Mackenzie, p. 312.

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pretext of preventing disorders.* With an intrepidity worthy of his former appearance in parliament, sir Patrick Home of Polwart opposed planting garrisons in a peaceful and loyal country as intolerable fetters upon the liberties of the people; and resisted payment of the arbitrary exactions for their support in his own shire. Having given in a bill of suspension to lord Colington, his lordship refused it; and sir Patrick took instruments, for which offence he was declared incapable of all public trust, and committed prisoner to Stirling castle.

1675. Home of Polwart opposing,

is committed to Stirling castle.

XXXII. First to oppress, and then to punish a person or a people for complaining of oppression, is so natural, and occurs so frequently in the history of the world, that however they may rouse our indignation, cases of this kind seldom excite our surprise; but I doubt whether any instance more flagrant than that of Henry, lord Cardross, will easily be found. Sir Patrick Home had, by his previous parliamentary opposition, incurred the displeasure of the government;—I have been unable to discover any offence, except his virtues, with which lord Cardross was chargeable. His lordship having gone to Edinburgh upon business, his lady, who was far advanced in pregnancy, remained at home almost alone, the greater part of the servants being absent with their lord. Probably informed of this circumstance, sir Mungo Murray, with a party, came at dead of night, and, thundering at the gates, demanded admittance, else they would burst them open and burn the house. Cardross castle is near the highland border, and such an attack, at such an hour, created a terrible alarm to the helpless in-

Case of lord Cardross.

Barbarous attack on his castle in his absence.

* By the ancient law of Scotland, a conveyance of lands by a royal charter did not entitle the person in whose favour the deed was conceived to raise a fortalice or strength, unless that privilege was expressly granted—it being deemed a right inherent in the crown—and therefore in times of public commotion, places which came under that description—unless so excepted—might be seized and garrisoned by the king. Craig, Jus Feudale, lib. 2. dieg. 8 and 3. Arnot's Hist. of Ed. ch. 4. The places at this time seized were Bridge-house, Linlithgowshire; Cardross, Perthshire; Glentirring, Stirling; Mearns, Renfrewshire; Douchil, Knows, Dean, at Kilmarnock, Ayrshire; House of Airdrie, Lanarkshire; House of Branxholm, Newark, Selkirk; Homshill, Roxburgh; Blane, Berwickshire; laird of Riddel's house, and the castle of Dumfries.

mates; nor was it lessened when, to the repeated inquiries of "Who knocked?" the only answer that was returned was, "Scottishmen." Constrained at last to open the gates, the soldiers rushed in in the most riotous manner, and, although lady Cardross was in so delicate a situation, they obliged her to rise from bed that they might search her chamber. They then forced her to unlock the private room where all lord Cardross's valuable papers were lying open, and, in spite of her intreaties, proceeded to throw every thing into confusion, breaking up his chests, and using the most insulting and threatening language. They concluded the outrage by carrying off Mr. John King, his lordship's chaplain, and Mr. Robert Langlands, governor to his brothers.

Seizure of Mr. King and Mr. Langlands.

XXXIII. Whatever secret orders they might have had for this proceeding, they produced no warrant; nor was any other reason ever alleged than some information that had been given respecting Mr. King's preaching. Langlands they dismissed after marching him ten miles, and keeping him prisoner a day and a night; King was rescued by some of the country people. As soon as lord Cardross heard of the violent and illegal assault upon his house, he applied to the privy council by petition, and urged not only his common rights as a subject, but his special privileges as a peer, which ought to have protected him against the irregular execution of a legal warrant, and much more from the insolent intrusion of soldiers. His petition was disregarded; but a representation coming from the soldiers respecting King's rescue, because some of his lordship's servants* were present, the same council found him guilty art and part in an attempt upon his majesty's forces; fined him in one thousand pounds sterling, and committed him prisoner to Edinburgh castle during his majesty's pleasure, besides fining him in an ad-

King rescued.

Lord Cardross fined and imprisoned as accessary.

* The proof of this fact is a curious specimen of the justice of Scottish courts in those times. Lord Cardross's nurse and two women went to the gate as women will do in cases of disturbance, from a very natural curiosity to see what was going forward; and in "the state of the process" thus stands the record. "And though it cannot be proven that my lord Cardross's servants were at the rescuing of Mr. John King," "yet from my lord's two women going out to gaze, who were upon that account put out of his service, it is concluded that my lord was accessary to his rescue." Wodrow, vol. i. App. No. 73.

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ditional sum of one hundred pounds for his tenants who had been present at conventicles. Lord Cardross was two years in confinement, during which his lady bore him a son in Edinburgh. As no minister whom either of them could acknowledge, was admitted within the walls of the garrison, nor perhaps would it have been safe to expose a sickly infant to hazard by carrying him from home, baptism was performed at her ladyship's lodgings. For this offence her lord was prosecuted before the council; and although he was a prisoner, and as such could legally have no control over his family, he was fined in half a year's valued rent; nor was he liberated till he paid the whole accumulated impositions.

Fined for the baptism of his child.

xxxiv. Imprisonment on the Bass rock, a heavy fine, or more frequently both, being the invariable consequence of appearing before the privy council, numbers of those who considered themselves liable to suffering, endeavoured to avoid at least the loss of liberty by shifting their habitation, or by not answering a summons. As the council could not thus reach many they wished to punish, they had recourse to an obsolete mode of oppression borrowed from a Roman law term,* and issued [August 6,] letters of intercommuning, by which the absent were outlawed, and all who intercommuned with them were considered implicated in their crimes, and rendered liable to the same punishment. Their nearest relatives were forbid to exercise to them the common offices of humanity, and towards them charity itself was guilt. The number included in this first proscription were nearly an hundred, among whom were several ladies of rank.† The letters were proclaimed at the mar-

Letters of intercommuning issued.

* Instead of using the word *exilium*, the legal phrase for banishment among the Romans was *aquæ et ignis interdictio*, which implied banishment from Italy; the Scottish prelatists were more cruelly ingenious.

† The episcopalians and their admirers afterwards were accustomed to depict the presbyterians, puritans, and fanatics, as gloomy, morose, and unsocial; who interdicted the open cheerful intercourse of the sexes, and their lively gallantry so attractive and enchanting. It is true, they did not pretend, like the cavaliers, to adore their women, but they respected them; while the others, with the most hyperbolical flattery, joined the most revolting brutality, and stand alone in wanton barbarous cruelty towards the weaker sex, without distinction of rank or age, from the gallant Montrose to the wretched Windram at Wigton.

ket crosses of Edinburgh, Haddington, Lanark, Cupar, Perth, Dunfermline, Stirling, and Glasgow. The words of the deed were expressive, nor were they words of course. His majesty commands all his dutiful subjects, "that they nor none of them presume nor take upon hand to reset, supply, or intercommune with any of the foresaid of our rebels, for the causes after said, [for preaching or hearing preaching,] nor furnish them with meat, drink, house, harbour, victual, nor no other thing useful or comfortable to them; nor have intelligence with them by word, writ, or message, or any other manner of way, under the pain to be repute and esteemed art and part with them in the crimes aforesaid, and pursued therefore with all rigour, to the terror of others." They were afterwards the cause of wide and extensive persecution, involving whole districts, and laying almost every person in the country open to the villany of informers.

xxxv. Persecution for religious opinions has uniformly had an opposite effect; and were not men blinded by passion, policy alone would long ere our day have entirely exploded this in any shape from the creed of the statesman. But the apostates who then ruled Scotland, had themselves, without any compunctious feelings, changed their religion from motives entirely of self-interest; and they could not judge of the existence of any higher principle. The fear of losing their own livings and preferment had easily induced them to alter, and they thought the like dread ought to have the like influence on all. When they saw it otherwise, instead of perceiving their error, and retracing their steps, they were exasperated at a virtue they had never believed in; and affected to attribute to obstinacy that intrepid spirit which forbade a dereliction of principle, although at the expense of every external comfort. The more the conventicles were persecuted the more they flourished; and the number of ministers, who were by the letters of intercommuning rendered desperate, spread over the country, and the dangers which now accompanied attending on their preaching, produced a solemn exaltation of mind which prepared the hearers for receiving with fixed attention the admonitions of men who, excluded from society for the sole

Conventicles increase.

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crime of preaching the gospel, had a sanctity thrown around their characters, and a stamp of sacredness given to their ministrations, which the ordinary routine of their official duties in their parish churches could not have bestowed. Their necessities forced them to the fields—anxiety to hear, and curiosity, attracted multitudes; and the rewards offered for the apprehension of the intercommuned, produced uncommon diligence in the soldiers to discover the meetings and apprehend the ministers. The number of the garrisons, instead of checking the practice, only induced the people to assemble in greater numbers, and better armed, till they became so formidable that it would have required a regular force to disperse them. They chose the most romantic and retired situations in the wildest moors, and in the deepest glens, in the recesses of the woods, or on the tops of the mountains, wherever they could be concealed from view, or prepared against attack; while patroles of horse and scouts rode round the skirts of the congregation, or to some short distance to watch the approach of the enemy, and give the alarm, that the minister or those most exposed to the vengeance of the prelatical party, might have time to escape; and for six years the country exhibited a wide spreading scene of contention and conflicts, in which the people braved, fought, and sometimes defeated the soldiers; their number precluding particularity. But one deserves notice for the precedent to which it gave rise in the criminal court, and which, even in those times, was thought a violent stretch of power.

One at White kirk.

XXXVI. A large conventicle having assembled on the hills of White-kirk, opposite the Bass, a party of about forty soldiers was sent from that garrison by the governor, to disperse it. When they advanced, and ordered the meeting, in the king's name, to disperse, one of the crowd answered, "that they honoured the king, but were determined to hear the word of God," which induced a soldier to give him a blow. An able-bodied countryman standing near, returned the compliment, and knocked the soldier down, and a skirmish ensued, in which the military were disarmed, but dismissed in safety; only one received a wound of which he died. For this James Learmont and two others were tried,

Military sent to disperse it—a soldier killed.

—the two had weapons, but had not used them;—and it was found that although Learmont was there, and on horseback, and had used the words, "Do not fear, we are far above their numbers; see there be no cowards here to day," yet he had no weapon, and was at some distance from the place where the scuffle happened, in which the soldier received his death's wound. The jury accordingly found him only guilty of having been present at a conventicle; but the archbishop of St. Andrews, and the Justices, were highly dissatisfied with the verdict, and the lord advocate ordered them back to amend it. A second time they returned the same verdict, and a third time they were ordered back to reconsider it, and, at the same time, were threatened with an assize of error, when at last they returned, and found the prisoners guilty, and Learmont was executed accordingly; a sentence which occasioned much remark at the time, as being thought a terrible stretch of what was formerly esteemed law, and a great blow to the security of the subject; for as gentlemen and burgesses never almost went anywhere without a sword, should any accidental murder take place in any meeting where they were, by this decision they were rendered liable to be found guilty of death; but this, as was evident, was chiefly intended to deter persons from attending conventicles, and to introduce severer measures against them. In the variety of punishments however which the sufferers had endured, probably none was more exquisitely afflicting to the individuals than when the council, wishing to clear the prisons for new victims, made a present of the inmates as recruits to the officers who were enlisting men for the French service, where they were doomed to associate with the meanest outcasts of society, and to fight for a cause their souls abhorred.*

Execution of James Learmont, who was present at it.

Prisoners gifted to the French.

* Towards the end of 1674, fifteen men were seised at a conventicle and imprisoned at Stirling. Eight of them got out; the other seven sent the following simple and affecting petition to the council: "showeth, that the petitioners being prisoners in the tolbooth of Stirling these fifteen months bypast, some of us being poor old decrepit bodies, and all of us poor creatures with wives and families, we have been many times at the point of starving, and had long ere now died for want, if we had not been supplied with the charity of other people: the truth of which is notour to all who live near Stirling, and which the magistrates have testified by a report under their hands. Whereupon it is humbly desired,

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1676. Bishops attempt to curb the power of Sharpe.

xxxvii. While Lauderdale had succeeded in overcoming a violent opposition in the state, Sharpe extinguished a feeble attempt to shake his power in the church. His haughty, overbearing, and tyrannical conduct had disgusted even the prelates, to whom he would not allow any other share in the government than that of simply obeying his mandates; and the bishops of Edinburgh, Brechin, and Dumblane, piqued at the neglect, had some private consultations about obtaining a voice in ecclesiastical affairs, and reducing the overgrown power of the primate, whom they did not hesitate to stigmatize by the odious appellation of pope. An act passed after episcopacy was established, declared "a national synod necessary and fit for the honour and service of Almighty God, the good and quiet of the church, and the better government thereof in unity and in order;" but from the strong aversion the king had to all assemblies of every description, and the care which Sharpe had taken to instil into his mind that the Scottish episcopal church contained within its bosom too many turbulent spirits, who secretly forwarded the system of presbytery, no synod had ever been convoked. When the episcopal malecontents hinted the necessity—from the distracted state of the church, the want of canons, and the regular exercise of discipline for putting the act in execution—of obtaining from the king liberty to gather a national convocation of the clergy, Sharpe and his friends took the alarm: they represented the complaints and the wish for a national synod as originating from the Hamilton party, in order to heighten the clamour against Lauderdale's administration. Edinburgh and Brechin, afraid of being involved in a charge of so dangerous a nature, withdrew their opposition, and conformed to the wishes of the

Require a national synod.

that your lordships would compassionate our pitiful and deplorable condition, and that of our poor starving wives and children, and order us liberty, we being willing to enact ourselves to compear and answer before your lordships whenever we shall be called." Of these petitioners one was upwards of sixty, one near seventy, and the rest sick and in distress. In answer to their petition, they were gifted by the council to one captain Maitland, (late a servant of the duke of Lauderdale,) then in the service of France, and at midnight, on the 18th of February, were brought out of prison, and delivered to a party of soldiers, who carried them off fettered and tied to one another! Wodrow, vol. I. p. 431-2.

primate. Ramsay, bishop of Dumblane, and a few curates, who were not informed of the king's dislike to the plan, and who thought it impossible to accuse them of being fanatics, because they sought a reform in the order of the church authorized by his majesty himself, persisted in urging the obnoxious proposal. It was so consonant with the professions and promises of the king, of Lauderdale, and of Sharpe, it was besides required by the prayers of the provincial synods, was in itself so reasonable, and was met by no objection but the supreme rule and authority of the primate, that, unless by connecting it with the presbyterians—the most unnatural of all connexions—there was not the shadow of plausibility in opposing it. Sharpe, who identified himself with the cause of episcopacy in Scotland, wrote to the archbishop of Canterbury, bewailing the danger of the church, and reminding his brother primate of the consequences the former disturbances in Scotland produced in England; and entreated him by his own hazard to interpose with the king, and procure his majesty to discharge this convention. Some such letter was procured, and a meeting of the bishops called at St. Andrews. Ramsay, among the rest, attended; but although one of his brethren hinted—in no mysterious terms—at the danger he incurred by persisting, he exhibited neither penitence nor submission, and was treated by Sharpe with the most indecorous rudeness. He could obtain no sight of the royal communication, was prohibited from being present at any of the discussions, and found it convenient to retire, leaving an apologetical letter to his grace.*

Sharpe's application to archbishop of Canterbury.

Meeting of bishops.

* "Yet finding it not fit for me to appear at a second diet, after your grace required me to be gone, and also apprehending there may be hazard for me any more to speak my mind at this meeting, which I conclude from the warning one of the right reverend bishops gave me yesternight: who told me he believed my neck was yuiking; which hazard I have the more reason to apprehend, because I heard it spoken in the meeting, that there were letters from the king's majesty, which your grace hath showed to the rest of the reverend brethren, and kept from me." Ramsay's letter to the archbishop of St. Andrews, Wodrow, vol. i. p. 403; it gives a view of the intolerable insolence of Sharpe towards those over whom he had any power. To complete the picture, and show him in his intercourse with his superiors, I subjoin his letter to Canterbury. The applications of scripture phrases are somewhat strange. "May it please your grace, Albeit I have kept long silent, and my correspondence with

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1676. They punish the bishop of Dumblane.

The meeting found him guilty of disrespectful conduct towards his metropolitan, and he was commanded to exchange his diocese of Dumblane for the bishopric of the isles, in the archiepiscopate of Glasgow. The unfortunate bishop, about nine months after, went to court, where his enemy had gone some time before him; and a correspondence took place tending to exalt neither of their christian characters, but in which Ramsay had a palpable superiority, from being able, while repelling the charge of affection for presbyters, to retort upon the primate his own letters, avouching that presbyterial government—setting aside its substantials—was *jure divino*. Ramsay was graciously received, and sent down rejoicing to Scotland, by Charles, who, it has been said, allowed no man to depart sorrowful from his presence. But when he arrived the contest recommenced; and as no case, however strong, or on what side soever it was, if it offered resistance to despotism, was sustained, the bishop was under

your grace hath not been so frequent as formerly; yet, like the son of Crœsus, I must cry out when my mother, the church, is in hazard; and I believe, if I should hold my peace, the very stones should speak, for the gospel is now at stake. We are assailed not only by foreigners, our old enemies the phanatics, who were never of us; but also, alas! my lord, there is a fire set to our own bed straw, by sons of our own bowels, who, viper-like, seek to eat that which produced them. They are all crying for a general convocation of the clergy, upon no other account but to shake off our yoke, and break our bands asunder.

"I hope your grace will consider your own hazard, and what disorders have followed in England upon our distempers in Scotland. When our neighbour's house is on fire, 'tis time to look to our own. Their great aim and design is against me, who, God knows, like Paul, have spent myself in the service of this church, and am yet willing to spend what remains. I believe no man can say I have run in vain; but if I be not supported by his majesty's special favour, through your grace's interposition, I shall inevitably suffer shipwreck; and that were of no value upon my own account, but I see through my side the church shall be wounded. The only remedy is, to procure his majesty to discharge the convocation, which will calm the storm, and quench all these malicious designs which are now on foot to disturb the peace of the church. They are already come to that height of insolence, that one Mr. Cant, a presbyter, has shaken off all fear of God, and regard to his canonical oath, in calling me a great grievance to the church. My dear lord and brother, bestir yourself in this affair, and remember the woe is pronounced against all those who are at ease when Zion is in distress. So recommending this to your care, I am, your grace's affectionate brother and faithful servant,—ST. ANDREWS."



the necessity of submitting, and the curators followed his example. Thus the schism was healed, and amity and peace restored to the afflicted church, under the uncontrolled authority of the primate.* Burnet, who was restored to Glasgow upon the resignation of archbishop Leighton, did not appear in this dispute: he was engaged in reviving those coercive measures which had been laid aside during the superintendence of that amiable prelate.

1676. He submits. Burnet restored to Glasgow.

XXXVIII. As a specimen of the administration of justice at this period, I may notice the manner in which the earl of Argyle enforced a decreet of the court of session. He had been ordered to obtain possession of the Isle of Mull, but the M'Leans having a suspension standing undiscussed, and appearing unwilling to acquiesce, he got from the secret council a commission for two companies of highlanders, to be commanded by Lawyers and col. Menzies, and a commanded company of the earl of Linlithgow's regiment, with which he was authorized to carry fire and sword wherever he met resistance!

XXXIX. With the persecution of fanatics revived the prosecution of witches; and numbers of poor wretches were burned for an imaginary compact with the devil, the nature of which, as they themselves described it, was in the extreme ridiculous and absurd. At the same court before which Learmont was tried, ten poor miserable-like women were pannelled from the parishes of Ormiston, Crichton, and Pencaitland; these had been accused by some who were burned a short time before at Saltpreston, and they, in turn, would have accused, had they been permitted, sundry gentlewomen and others of fashion, but the justices would not allow them, "thinking it either the product of malice or melancholy, or the devil's deception, in representing such persons as present who really were not there." They were, however, permitted to name Mr. Gideon Penman, the deposed minister of Crichton, who they affirmed was constantly present at their meetings, and was generally inquired after by Satan as his chaplain; and "that ordinarily Mr. Gideon was in their rear in all their dances, and beat up those that were slow."

Witches prosecuted

* Wodrow, vol. i. p. 417, *et seq.* Burnet, vol. ii. p. 108.

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They were also allowed to declare that the devil had himself occasionally assumed the character of minister, and celebrated the holy communion with bread like wafers, and blood or moss water for wine; that sometimes he transformed them into bees, ravens, and crows, and carried them off into remote places; and upon these confessions nine of the poor creatures were strangled and burned—five between Leith and Edinburgh, and four upon Preston muir!*

Nine burned.

XL. Severe as the proceedings had been against the presbyterians, they do not appear to have satisfied the prelatical faction; and various committees were appointed early in the year 1676 to perambulate the country, but neither did they satiate the thirst for power nor the desire of revenge by which they were actuated, although they intercommuned and fined in the most arbitrary manner. The noblemen and gentlemen, of whom they were chiefly composed, had some mercy,

Perambulating committees not sufficiently severe.

* The visions in the air, which were reported to have been seen in the west, have been frequently the subject of ridicule; but what shall we say of lord Fountainhall—certainly no fanatic—who gravely informs us, "As for the rencounter betwixt Mr. Williamson, schoolmaster at Couper, (who has wrote a grammar) and the Rosicrusians, I never trusted it till I heard it from his own son, who is present minister at Kirkaldie. He tells that a stranger came to Couper and called for him; after they had drank a little, and the reckoning came to be paid, he whistled for spirits; one in the shape of a boy came and gave him gold in abundance, no servant was seen riding with him to the town, nor enter with him into the inn: he caused his spirits against next day bring him noble greek wine from the pope's cellar, and tell the freshest news then at Rome; then trysted Mr. Williamson at London, who met the same man in a coach near to London Bridge, and who called on him by his name; he marvelled to see any know him there, at last he found it was his Rosicrusian. He pointed to a tavern, and desired Mr. Williamson to do him the favour to dine with him at that house, whither he came at twelve o'clock, and found him and many others of good fashion there, and a most splendid magnificent table furnished with all the varieties of delicate meats, where they were all served by spirits. At dinner they debated on the excellency of being attended by spirits, and after dinner they proposed to him to assume him into their society, and make him participant of their happy life; but among other conditions and qualifications requisite, this was one, that they demanded his abstracting his spirit from all naturality, and abandoning and renouncing his baptismal engagements; being amazed at this proposal, he falls a praying, whereat they all disappear and leave him alone. Then he began to forethink what would become of him if he were left to pay that vast reckoning, not having so much money on him as would defray it—he calls for the boy, and asks what was to pay. He answered there was nothing to pay, for they had done it, and were gone about their affairs in the city. Some said he was left in a jakes, but this relation his son affirmed to be truth."

and were inclined to relax a little the rigours of these laws, their acquiescing in the enactment of which they justified by alleging that they had considered them merely held out *in terrorem*, but too cruel ever to be enforced. It became therefore necessary that the executive should be intrusted into surer hands; and a committee for public affairs was instituted, under whose sanction a more keen, universal, and unremitting persecution was kindled. At the head of this committee stood the two archbishops and Hatton; the officers of state and law officers were *ex officio* members, and a number of noblemen considered most devoted to Lauderdale filled up the list; among whom it is painful to observe the name of Argyle, although, as three formed a quorum, we may be allowed to hope that he seldom acted. They were nominally accountable to the privy council, but they seldom reported their cruelties. Only what they chose were recorded; and of the enormous mass of injustice they committed, but a small portion is handed down to perpetuate their infamy. A captain Carstairs, their chief agent employed to discover or create crimes, occasioned one of the first and most flagrant exercises of the power of this junta, which, at the same time gave rise to a partial revolution in the administration of Scotland.

Committee for public affairs.

XLI. Mr. James Kirkton, author of the History of the Church of Scotland, an outed minister, was walking unsuspiciously on the streets of Edinburgh, when he was met by this fellow, accompanied by another gentleman and a lacquey, who, accosting him, requested to speak with him. As he was unacquainted with Carstairs, he asked his companion aside who he was, to which the other answered by a significant stare, and Kirkton immediately perceived he was a prisoner. Instead of taking him to jail, they carried him to Carstairs' chamber, in the house of one Alexander, a messenger, where the captain dismissed his companion, and in a cautious confused conversation, gave the minister to understand, that if he would give him a bribe to be quiet, he would let him off. They were upon a treaty for this purpose, when unfortunately Mr. Baillie of Jerviswood, Mr. Kirkton's brother-in-law, having heard of his treatment, came, accompanied by Mr. Andrew Stevenson and Patrick

Mr. Kirkton inveigled by Carstairs.

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Johnston, and calling to Carstairs, asked him what he did with a man in a dark dungeon alone? Mr. Kirkton, when he heard the voice of his friends, broke off the negotiation, and demanded that Carstairs should open the door to them. "That will I not," said the captain, and drew a pocket pistol. Mr. Kirkton seizing his arms, they struggled and fell; and Carstairs, being the weaker of the two, was rolled into a corner. Meanwhile, the gentlemen without, hearing the cry of murder, burst open the door, and separated the wrestlers, but without any personal violence offered to Carstairs. No sooner was Mr. Kirkton and his friends gone, than the captain and his associates, who had by this time returned, went directly to Hatton, and informed him of what had taken place. He instantly summoned the lords of council—so hurriedly that they rose from dinner—and represented to them that their authorized officer having seized a fanatic minister, a tumult had been raised in the town, and he violently taken from them. Upon the strictest inquiry, however, nothing like a tumult could be discovered; and Kirkton having informed his friends of the real state of the case, that it was a villainous attempt to extort money from him, which was confirmed by Jerviswood, the council was of opinion the best way would be to pass it over. But Sharpe told them, unless Carstairs were encouraged, and such men as Baillie made an example of, it was not to be expected that any person would ever follow the ungracious business of searching out fanatics. The council, overawed by the archbishop, assented, and an indictment was ordered to be drawn up against Mr. Baillie for rescuing Mr. Kirkton, deforcing an officer, and being concerned in a riot.

Released by Baillie of Jerviswood.

Proceedings of the council.

Baillie indicted.

XLII. Carstairs had showed no warrant, nor did he pretend that he had any, when he inveigled Mr. Kirkton into his room, nor when Mr. Baillie set him free; but on the day of trial he produced one, which Sharpe had forged, and antedated to answer the occasion. Upon this false document Jerviswood was convicted, fined in five hundred pounds sterling, and ordered to be imprisoned till he should pay it; nor was it till after four months confinement, upon a hint that even the court was ashamed of such proceedings, that he was liberated. Stevenson and Johnston were hand

Fined and imprisoned.

over to the committee for public affairs, by whom they also were fined and imprisoned; but not being men of such importance, a seasonable present of a pipe of wine to Hatton, and a parcel of fine lace for his lady, obtained their liberty within two months. Hatton improved this business, to get rid of all who did not readily succumb to him in the council, by representing those who withstood this iniquitous sentence as unfriendly to government. Hamilton, Dundonald, and Dumfries were removed from their seats, and Kincardine, one of Lauderdale's staunchest supporters, was dismissed from the secretaryship, as favouring the fanatics, notwithstanding the ability and zeal with which he had defended Lauderdale in the late parliament; but Mackenzie attributes the fate of the latter to the intrigues of Athole, now a marquis, and the duchess, who was anxious to marry her daughter to Athole's eldest son.

Hamilton, &c. removed from the council.

XLIII. The spirit of tyranny is the same in all ages. Not content with driving their victims into banishment, the satellites of despotism are ever unwilling that they should find that freedom abroad they contended for at home. At the instigation of the Scottish council, Charles charged his ambassador to make application to the States-general, in the year 1670, that they should order the exiles to leave their territories; but the States generously refused compliance with the invidious mandate, and declared that they would not be accessory to the infliction of a double punishment upon men who had already suffered exile from their country.* He now again made a similar demand; and by a letter required that the States-general should cause colonel Wallace, who had fought at Pentland, Mr. Robert M'Ward, and Mr. John Brown, ministers, to move from their territories, as persons guilty of lese-majesty against the king of Great Britain; to which he affirmed they were bound by an article in a treaty between the two countries. This application, which had been instigated by the avarice of an individual,† the States again refused. They were satisfied

Charles demands the States-general to order certain exiles out of Holland.

* Notices of colonel Wallace, &c.

† One Henry Wilkie it appears was the instigator, who, having been placed by the king at the head of the Scottish factory at Campvere, was displeased because many of his countrymen, with the view of enjoying the ministry of

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1677. Their honourable conduct.

that by the treaty they were not bound to remove the ministers; and they instructed their ambassador in England to make a representation to that effect, and require a copy of the sentence by which they were now declared rebels. But the demand was reiterated; sir William Temple repaired to the Hague to urge compliance, and rather than risk a quarrel with Britain, they judged it prudent to yield; yet at the same time they expressed great reluctance to take this step, and their conviction that it was irregular. "We are willing," say they in a letter to the king, of January 22, "to testify how sensible we are of the honour of your friendship and good-will, and that we prefer it to all other considerations; assuring your majesty that we will not fail to cause the said M'Ward, Brown, and Wallis to depart within the time mentioned in the treaties from the bounds of this country. We find ourselves, however, obliged to represent to your majesty, that we believe you will agree with us that the obligation of the treaties is reciprocal; and that according to the laws of this country we cannot by our letters declare any person fugitive or a rebel, unless he has been recognised as such by a sentence or judgment of the ordinary criminal court of justice; and that your majesty could not pay any regard to any letters of ours making a similar declaration, unless accompanied by such sentence or judgment. And as thus we cannot require of your majesty to remove any one from your kingdoms as a rebel or fugitive on a simple declaration [unless so accompanied] made by our letters; so we assure ourselves, sir, that your majesty will not in future require us by simple letters to remove any person from our territories before he be declared a fugitive or rebel, according to the ordinary forms of the laws and customs of your majesty." And in their resolution, the States-general express not only their regret but the high esteem they had for the character of the exiles: "It is found good," are the expressions, "hereby to declare, that although the foresaid three Scotsmen have not only not behaved and comported

Their letter to Charles on complying with his demand.

Their testimony to their character.

Messrs. M'Ward and Brown, repaired to Rotterdam, and brought their shipping there in preference to Campvere, by which means his salary was impaired.

themselves otherwise than as good and faithful citizens of these states, but have also given many indubitable proofs of their zeal and affection for the advancement of the truth, which their high mightinesses have seen with pleasure, and could have wished that they could have continued to live here in peace and security. Considering the risk they run, however," they add, "and considering with what pressing earnestness his majesty has repeatedly insisted, by three several missives, and verbally, through his envoy extraordinary, and with great reason apprehending a breach between his majesty and these states, as sir [William] Temple has expressed himself on the subject in terms that cannot be mistaken—they feel themselves necessitated, in order to obviate so great an evil at this conjuncture, to cause the foresaid three Scotsmen withdraw from this country; and that consequently notice shall be given to the foresaid James Wallace, Robert M'Ward, and John Brown, in order that they may be able to avail themselves of the good intentions of their high mightenesses in having their property disposed of."

XLIV. As long as the Hamilton party had any power, or there was any likelihood of opposition in the council, Lauderdale, afraid of a junction between that faction and the presbyterians, had allowed the lord president Stair, and Murray of Glendoick, to make secret promises to the latter of greater indulgence; and his duchess, who also expressed herself favourably respecting them, was openly reported to have received large sums of money to procure her protection. But now, when all dread from that quarter had ceased, he was threatened with more serious attacks from the episcopalians—who never gave him credit for being at heart attached to their cause—which forced him to break off all intercourse with them, and adopt harsher measures than perhaps he otherwise might have done, in order to clear himself from the dangerous imputations of retaining any kindness for his former friends, or feeling any compassion for their present sufferings.* Sharpe—whose inveteracy to the

Lauderdale threatened by the episcopalians.

* "*October*, 1677.—Whence all this favour came to the nonconformists seemed strange to some. It was a politique of my lord duke of Lauderdale and his dutchesse to render himself gracious and acceptable to the hearts of

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profession he had betrayed, was in proportion to the injury he had done it—excited the fears of the English bishops by his representations of the rebellious state of Scotland, which he attributed to the indulgence Lauderdale had shown to the fanatics, and their reliance upon his support. The English bishops influenced the king, and the duke could only show his sincerity by returning to Scotland, and devoting himself to the service of the prelates, the minister of whose vengeance he from this time unreservedly became. His journey was hastened by the duchess, who, having failed in her matrimonial treaties for her daughters, was anxious to commence new projects for their disposal; and at Berwick the confluence of nearly the whole of the Scottish nobility to offer their respects, announced to him the universality of his influence, and their servility.

Devotes himself to the episcopal party.

His arrival in Scotland.

XLV. Power founded upon a nation's will may occasionally be despotic with impunity—it may venture upon acts at which the fiercest tyrant would tremble; but a rule which

the people, and regain his lost credit, which undoubtedly was a cause that made him listen and give eare to an indulgence and accommodation with the presbyterians, for he was serious in it, and did it not merely to cajole and gull them: the carriers on of it were, the president, Argyle, Melville, and Arniston, with James Stewart and the ministers of that party, who were allowed freely to come to Edinburgh. They offered to raise L.15,000 Sterling presently for my lord Lauderdale's service, and to continue the elections, so that in a parliament he should cause a subsidy; and the president got a ratification of what he pleased, provided their indulgence were secured to them by act of parliament, so that it might not be the next day recalled. All their propositions my lord Lauderdale quickly embraced; but when they came to explain the way how they would effectuate all this, he could not comprehend it so weel wheirupon it stood. The bishops, on the other hand, finding this to strike into the very vitals of their occupation, and Diana's shrynes, they to counterbalance resolve to ply and fix as firm as they are able to get his majesty's supremacy in spiritual matters so qualified, that the king may give way to erect a court of by commission again, in which they may act by themselves against all recusants. It is like if this were granted them it might prove a very ready means to break their neck.

"At last my lord Lauderdale, at the secret council of the 9th October, publictly disowned that ever there had been a treaty or capitulation between him and the nonconformists, leist the rumour thereof might prejudge him in the affections of the English clergy: and it was reported that the archbishop of St. Andrews had writ of it to Canterburry and Morley bishop of Winchester, and they had applied to his majestie, who wrote peremptorily to my lord Lauderdale to desist."—*Fountainhall's MS.*

runs counter to the inclinations of a people, even if moderate, is always unhappy, and never secure. Unfortunately for mankind this is a truth which, however self-evident to others, can never be made plain to the understandings of those most nearly interested in its application; and the more repugnant to the affections of the community any government is, the more in general does it strive by force to uphold its domination. The government of Scotland at this date was in direct opposition to four-fifths of the population, and its measures were proportionably severe. Conventicles multiplied in number, and increased in audacity; for the presbyterians, disappointed in their hopes of relief from Lauderdale, had now no alternative other than unqualified submission or self-defence. They chose the latter. The armed attendants became more formidable, as the council set prices on the heads of their most esteemed ministers; and the attempts to seize them, and forcibly disperse their congregations, had not unfrequently occasioned resistance and bloodshed; nor was it practicable for the myrmidons of the committee to lay hold of the more zealous of the preachers—the particular objects of their vengeance—proscribed under the denomination of "arch rebels." A new, more extensive, and more iniquitous plan was therefore adopted. A proclamation was emitted by the council [August 2,] requiring all the landed proprietors, heritors, road setters, and life-renters, to enter into a bond that neither they nor their families, nor their tenants, nor their families, nor servants, should desert the parish church, or be present at any house or field conventicles, receive or support any outed minister or any intercommuned person.*

New severities.

The bond proclaimed.

XLVI. When the bond was promulgated in the west country, where conventicles were most frequent, it excited universal alarm; not only among those who were friendly, but even among those who were inimical to presbyterianism. The impracticability of any nobleman or gentleman answering for every individual on his estate, who might either accidentally, or through the malicious intrigues of his enemies, be

* Mackenzie, 321. Kirkton, 373. Fountainhall MS. in the Advocates' Library.

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present at any meeting, or talk with any intercommuned person—when nearly seventeen thousand persons in these districts were in that state—struck the supporters of government themselves as so preposterous, that they called county meetings, and represented to the council the illegality as well as the impossibility of carrying their injunctions into effect.

1677. It excites universal dissatisfaction in the west.

XLVII. Such opposition induced the committee for public affairs to pause; and sir George Mackenzie—who had obtained the king's advocateship in the room of sir John Nisbet, dismissed, for refusing to lend the duchess of Lauderdale some money—claims the merit of having proposed to suspend the imposition of the bond, but rigidly to exact the fines, as what would have as beneficial a tendency, and remove all complaints of illegality. But this apparent moderation was of very short continuance; and an unlucky incident, highly exaggerated, was seized upon as a pretext for resorting to a more desperate expedient than any hitherto attempted. Carstairs, the spy, in following his less infamous occupation of public oppressor, had excited very general execration. By his low and brutal cruelty, he had forced lady Colville, who was greatly respected, to abandon her house, and take refuge in the hills, with no covert but heaven, in an inclement season; and scouring the country with a party of horse, without any authority except the archbishop's warrant, had been guilty of many acts of rapacity and disorder. Coming suddenly with his party upon a house where a number of heritors who were intercommuned, had assembled, without exchanging words one of the ruffians fired upon a gentleman, who happened to be standing at the door unarmed, and the others followed the example by firing in at the windows. The inmates instantly returned the salutation by issuing from the house; and vigorously attacking the captain and his band, forced them to a precipitate flight, leaving the first assailant wounded, who afterwards recovered. Carstairs immediately sent an account of his repulse to the council; and the primate—whose officer had been disgraced—enraged at the affront, the affair was represented as of the most serious description—a forcible resisting of lawful authority, and a high act of rebellion.*

Sir George Mackenzie's advice respecting it.

Violence of Carstairs.

Use made of it by the council.

* Mackenzie's History 333. Wodrow, vol. i. 453.



XLVIII. It would perhaps be difficult to explain the connexion between this accidental tumult, and the meetings to hear sermon on the hills, or woods of Renfrew and Ayr; but during the affected alarm which it occasioned, a letter was dispatched from the council, desiring the earls of Glencairn and Dundonald, and lord Ross, to convene the heritors of these shires to deliberate upon, and take some effectual course for quieting these shires; and announcing that, in case of failure, they were fully resolved to repress by force all factious proceedings, without respect to the disadvantage of the heritors, who would then be considered as involved in such a degree of guilt, as would allow the greatest degree of severity to be used against that county. A numerous meeting of the gentlemen of the two shires took place at Irvine; and their unanimous resolutions, while they announce the extent of the evil, proposed an easy and certain cure for conventicles. They declared that it was not within the compass of their power to prevent them; but, that it was their humble opinion, from former experience, that the toleration of presbyterians was the only proper expedient to settle and preserve the peace of the country, and put an end to these meetings; nor had there ever upon any of these occasions been any expressions of disloyalty heard either in the prayers or in the sermons of the preachers.

Order meetings of the heritors of Renfrew and Ayr.

Their resolutions.

XLIX. Before these judicious resolutions arrived, the council had determined on other measures, which false and malicious fabrications were employed to justify. "Upon some informations of growing disorders and insolencies in the western shires, it was ordered in a meeting of council, [Nov. 1.] that a proclamation should be drawn up in case of an insurrection, and the nearest highlanders ordered to meet at Stirling so soon as it should be issued; and, in the mean time, letters were to be written to the noblemen and gentlemen to have their tenants and vassals ready at a call. It was further ordered, that arms and ammunition should be sent to Stirling, and another body of forces collected at Falkirk. The opinion of the western heritors could never have been asked with the least intention that it should have had any influence upon the determination of the council; it was, however, used as an evidence of its propriety; and

Council determine to call out the highlanders.

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Lauderdale himself, although he afterwards defended, is said at first to have been shocked at the proposal for introducing the savage mountaineers in time of profound peace, into the most fertile and wealthy districts of the west; to the exemplary conduct and general information of whose inhabitants both episcopalian and presbyterian writers bear ample testimony. The unanimity of the council in adopting such a horrible outrage as this, merely for the introduction of prelacy, is accounted for by a manœuvre of Lauderdale, who had prevailed upon all the officers of state, who used formerly to hold their commissions during life, to surrender them into his majesty's hands, and receive them again during pleasure. So that it is hardly possible to conceive any assembly constituted more completely to serve the purposes of despotism, or the mandates of prelates who were its chief instruments.

Reasons for their unanimity in the measure.

L. Before proceeding to narrate the introduction of the "highland host" and their operations, I shall illustrate the character of the council by a circumstance which occurred about the same time; and which involving a complicated charge of falsehood, perfidy, and dishonour against the government, excited throughout the country strong feelings of indignation, and provoked reprisals upon the life of the primate, whose violation of the securities of public faith precluded all possibility of mercy at the hand of any future assassin—the mock trial and execution of Mitchell: it cannot even now be read without a mixture of abhorrence and disgust. Mitchell, after his attempt upon archbishop Sharpe, had resided abroad for some time; but when, as he conceived, all danger was over, returned to Scotland, and married a woman, the owner of a small shop not far distant from Sharpe's city residence. In passing occasionally, the primate had observed him looking earnestly at him, which attracted his notice, and upon a closer inspection, he thought he had the appearance of the person who had fired at him, and procured him to be arrested. When taken, a pistol loaded with three bullets was found upon him, which confirmed the archbish suspicion, but afforded no proof of his guilt. An however, to discover the nature of the conspiracy a

Apprehension of Mitchell.

extent of the danger to which he had been exposed, the archbishop swore by the living God to obtain his pardon if he would confess. At his examination before the privy council, the commissioner, chancellor, treasurers-depute, and the other members assured him, in the most sacred manner, that his life should be preserved if he made an ingenuous confession. On these pledges of public faith, he acknowledged his attempt to assassinate the primate, but exculpated the whole party with whom he usually acted from the smallest knowledge or accession to the design, which he had only communicated to one person, then dead.

Deluded into a confession by a promise of pardon.

LI. Disappointed at the insignificance of the discovery, the council transferred him to the justiciary, with secret instructions to punish him by the loss of his right hand, and forfeiture of his estate; but the judge, who hated Sharpe, gave him a hint to confess nothing, unless his limbs were secured as well as his life, and he retracted at the bar the confession he had made. As there was no other proof that could be brought, he was remitted to prison, and an act of council recording the promise, but retracting it, as he had refused to renew his confession, was passed, in the hope they might be able to procure other evidence for his conviction; finding this impracticable two years after, [1676] he was brought before the court by order of the justiciary—who probably thought two years confinement in irons would have subdued his spirit—and examined respecting his connexion with the rising at Pentland ten years before. On his refusal to answer the ensnaring questions directly to his own ruin, lord Hatton, according to the base custom of these horrible times, when judges assisted king's counsel in insulting the accused and brow-beating the witnesses, told him he was one of the most arrogant cheats, liars, and rogues he had ever known, and the president threatened him with torture.

Transferred to the justiciary.

Retracts his confession.

Again brought before the court—refuses to answer respecting Pentland.

LII. At a subsequent meeting of the court, he was interrogated whether he would acknowledge his confession; and the judge, pointing to the boots, said, "Sir, you see what is upon the table, I will try what they can do." Mitchell intrepidly replied, that he had been now two full years in prison, and more than one in bolts and fetters, which to him had been more intolerable than many deaths, had he been capable of

Threatened with torture.

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suffering them; this he had been enabled to endure with patience, and hoped he would also be sustained under whatever torments they might inflict. "But, my lord," he added, "I confess by torture you may cause me to blaspheme God, as Saul compelled the saints; you may compel me to speak amiss of your lordships, or to call myself a thief, a murderer, a witch, a warlock, or whatever you choose, and then pannel me upon it; but if you shall, my lord, put me to it, I here protest before God and your lordships, that nothing extorted from me by torture shall be made use of against me in judgment, or have the force of legal proof against myself or any other person. Now, to be plain with you, my lords, I am so much of a christian, that whatever your lordships shall legally prove against me, if it be a truth I shall not deny it; but, on the contrary, I am so much of a man and a Scottishman, that I never held myself obliged by the law of God, nature, or the nation, to become mine own accuser."

His intrepid reply.

LIII. To this forcible appeal the only answer was, "he hath the devil's logic;" and they proceeded to what, without any violation of language, may be truly designated an infernal retort. When the pannel's leg was laid in the instrument, and the pain began to grow intense, in the midst of his anguish he addressed his tormentors in language that would have softened hearts of ordinary mould. "My lords, not knowing but this torture may end my life, I beseech you to remember that he who showeth no mercy shall have judgment without mercy. For my own part, my lords, I freely and from my heart forgive you who are judges, and the men who are appointed to go about this horrid work, and those who are satiating their eyes in beholding. I do intreat that God may never lay it to the charge of any of you, as I beg that God, for his Son, Christ's sake, may be pleased to blot out my sin and mine iniquity." The strokes of the executioner being redoubled, he fainted; and the lords gave up the hopeless task of forcing a confession.

His conduct under the torture.

LIV. Mitchell continued from this period close prisoner in Edinburgh jail another year, when he was sent to the dungeon on the Bass, to undergo, if possible, more unwholesome and rigorous confinement. Here he lay unregarded

Sent to the Bass.

till the month of October, this year, when, judging from the date, the affair of Carstairs seems to have recalled him to the revengeful recollection of the primate, and the lord advocate was ordered by the council to proceed criminally against him. But it was not till Lauderdale had returned from court, and the highland-host were in motion, that he was brought to trial, January 7, 1678.

1678. His trial.

LV. This trial, which lord Fountainhall says was one of the most solemn which had taken place in Scotland for ane hundred years, lasted four days, and made a wonderful noise in the country. Primrose, who was lord register, had been witness to the promise of life made by the council, was lord justice-general,* sir George Mackenzie, who had been the pannel's advocate before, and well acquainted with the fact, was the public prosecutor, and drew the indictment; but the jury was "ane assyse of souldiers under the king's pay, and others who, as they imagined, would be clear to condemn him."† The accusation was restricted to the attempt upon the archbishop, and the law that reached him was the statute against invading and preserving of counsellors, 4 act 16 par. Jac. VI. 1600, not then in force.‡ After a long and ingenious debate, in which sir George Lockhart for the defendant displayed great learning and ability, the court decided that the confession of the prisoner, acknowledged by him in presence of the high commissioner and lords of privy council, was judicial, and could not be retracted; but, at the same time, they were of opinion, that it being alleged to have been emitted upon a promise or assurance of impunity of life and limb, that promise, if proved, was sufficient to secure the safety of the prisoner.

* "The lady Lauderdale finding the register's place one of the most lucrative places within the kingdome, hade thought good to remove him [sir Archibald Primrose,] from the office of register, and put sir Thomas Murray, a friend of her own, in the office; and he hade indeed the name of the office, but she hade from him the profits of the place." "But to stop sir Archibald's mouth they bestowed upon him the office of justice-general, and sore against his heart." Kirkton, p. 383.

† Fountainhall's MSS.

‡ This act "was only made *ad terrorem*, and in desuetude, and never practised as to the pain of death; for otherwise *conatus sine effectu consummato nunquam punitur capitalliter* —Fountainhall MSS.

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Excepting Mitchell's own confession there was no other evidence of his wounding or pursuing a prelate or a privy councillor, and this he had retracted unless the promise of life were also admitted. To establish it, Rothes, lord chancellor, was examined, and swore that he heard the pannel make the confession without any promise from him, nor did he ever use such words as upon his life, honour, and reputation, he would secure the pannel's life. When he had done, Mitchell earnestly entreated him to remember the honour of the family of Rothes, and to mind that he took him by the hand, and said, "Jacobe, man! confess, and, as I am chancellor of Scotland, ye shall be safe in life and limb." Rothes replied not by a denial, but said he hoped his reputation was not yet so low as that what he said, either there or elsewhere, would be credited, since he had sworn. Mitchell reaffirmed his assertion, and the other was silent. Hatton and Lauderdale also swore that no promise or assurance of life was ever made; that the pannel never sought, nor was it ever offered. Sharpe made oath that he never either gave assurance or gave warrant to any to give it; and that he made no promise to Nicoll Somervell other than that it were best to make a free confession;—but so low was he fallen, that even his oath did not obtain credit with his own party.* The presiding judge had, to be revenged on Lauderdale, furnished the pannel's advocates with a surreptitious copy of the act of council in which the assurances were contained. This they produced and read after

Evidence of Rothes.

Challenged by Mitchell.

Evidence of Sharpe.

* The whole of the circumstances of this trial are atrocious beyond example. Primrose boasted to his friends, that if Lauderdale had made him lose his place, he had the pleasure to see him lose his soul by his perjury. Kirkton, p. 384. The archbishop on oath likewise denies any promise of life, saying it was not in his power to grant remissions. Nicoll Somervell, the agent, and brother-in-law to the pannel, boldly contradicted him, and bid him remember such and such tymes and words, and seemed to make his narration very probable. The archbishop fell in a mighty chaff and passion, exceeding unbecoming his station, and the circumstances he was then stated in, and fell a scolding before thousands of onlookers. Nicoll yielded in nothing; and, after the bishop had sworne, he cried out that upon his salvation what he had affirmed was true—which was to accuse the archbishop of downright perjurie; but it was overlooked because *justo dolori temperari non poterat;* and the misfortune was, that few there but believed Nicoll better than the archbishop. Fountainhall's MSS.

the public prosecutor had declared his evidence closed; and demanded that the registers of the council proceedings which were lying in the next chamber, or an extract by the clerk, might be allowed to the pannel; for, as the court had found the pannel's confession judicial, the proceedings of the council must also be considered as judicial, and open to examination; that where the one was admitted the other could not possibly be refused. But Lauderdale, although there as a witness, furiously interposed. He said the books of council contained the secrets of the king, and could not be produced, nor was it to be endured that an accusation of perjury should be brought against four of his majesty's privy councillors. A majority of the judges, overawed by the presence of their master, refused to allow the productions required, on the grounds that the pannel was too late in making his application, and that the truth of the narrative contained in the copy, insinuating that there was an assurance, was contradicted by the deposition of his majesty's council.* His majesty's advocate then addressed the jury for the prosecution. Sir George Lockhart refused to speak for Mitchell, being unwilling, says sir George Mackenzie, to offend Lauderdale; probably perceiving it would be uselessly incurring his displeasure, or disdaining, after such flagrant injustice, to countenance any further the nefarious proceedings by the mockery of a reply.

Extract from the council records refused.

* The act of council, which stands recorded as a memorial for ever of the perjury of the primate, high commissioner, chancellor, and depute treasurer of Scotland, thus narrates the fact: Mr. James Mitchell "refused that he was the person who made the said attempt, until, having retired with one of the said committee, he did confess, upon his knees, he was the person, upon assurances given him by one of the committee as to his life, who had warrants from the lord commissioner and secret council to give the same, and thereafter [he] did freely confess so." Some idea may be formed of sir George Mackenzie's fairness and candour as a historian by the manner in which he justifies the court's refusal to allow this act to be read. "His advocates desiring that the act of council might be read for proving their exculpation, that was justly refused, because no man can make use of both writ and witnesses." He then adds, "and the truth was, that the act of council being posterior to the confession, could not prove that the confession was emitted upon promise of life;" History of Scotland, p. 328. as if the solemn narration of a fact, given by the persons concerned, after the fact had taken place, could not prove it. Did this acute lawyer think that a prophetical glimpse at the transaction would have been more veracious testimony?

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LVI. As soon as the court rose, the lords went to the council chamber and inspected the records, and each, as is usual in cases of detected villany, endeavoured to shift the blame from himself. Rothes pretended he signed, as president, whatever the clerk of the council wrote; the clerk, to shift the blame from himself without accusing the council, averred that he copied it from a scroll of Nisbet, who was now out of place; and it was in agitation to fine him severely for the imposition; but he procured the evidence of nine councillors, and several letters in Hatton, Lauderdale's brother's hand-writing, which put the matter beyond dispute. The duke was now inclined to reprieve the unfortunate man, but Sharpe insisted that to spare such an assassin was to endanger his life. "Then," said Lauderdale, with an impious and barbarous sarcasm, "let him glorify God in the Grassmarket." He was accordingly executed in the Grassmarket; but the general interest his trial had excited, and the fortitude with which he met his fate, did not tend to avert that of the archbishop.*

He is executed.

LVII. Whoever originated the monstrous plan of letting loose the highland savages on the peaceable counties of the west, it was completed, arranged, and approved at court, to which Lauderdale was invited in the month of October. Charles had no one feeling in common with his people, whose interest he considered as opposed to his own; he would rather have been the pensioned minion of France, and despotic at home, than the greatest monarch of Europe, with his domestic government limited by the constitutional restrictions necessary in a land of freedom. But so faithless was his character that not even Lewis could trust him; and the wages of his baseness were irregularly paid. Upon some such occasion of disgust, he was prevailed upon to attempt the generosity of his people;—to sooth whom, before he called a meeting of parliament, he married his niece to the prince of Orange, entered into an alliance with Holland, and seemingly agreed to such measures as were calculated to restrain the unlimited ambition of the French king, then the

Charles enters into alliance with Holland.

* Fountainhall's MS Wodrow, vol. i. 514, *et seq.* Kirkton, 381. Naphtali, appendix. Burnet, vol. ii. p. 176. State Trials, vol. ii.

general object of dread. But while he was thus endeavouring to delude the English, and obtain better and more regular payments from France, he was projecting the diabolical plan of exciting his Scottish subjects to rebel, in order to have a pretext for keeping up a standing army. Laying hold of a rhetorical expression in an act of parliament, which styled conventicles rendezvouses of rebellion, the king wrote down, [December 11th, 1677,] approving of and giving his hearty thanks to the council for their care in watching over the welfare of the people! informing them that he had ordered some of his English forces to march north, and his Irish troops to hold themselves prepared to cross, and placed both under their orders; he required them to call into action all the standing forces of the country, to bring in the highlanders, to place garrisons wherever they thought proper, to embody the militia, and to summon, if necessary, all the fencible men in the kingdom, from sixteen to sixty, "to attend our host under pain of treason," to march into the shires and places infested with rebellious practices; to disarm all they should think necessary; to secure all horses above a certain value, and to force the heritors and liferenters to give bond for their tenants and all who lived upon their lands that they would not frequent conventicles:—the tenants and masters of families to give, when required, bond for those under them, and every parish and heritor the like surety that no conventicles should be kept within any part of the parish; those who refused were to be punished by free quartering, fining, imprisonment, transportation, or such other penalties as they should think fit. The reason assigned for this frantic mandate was worthy of its tenor: "We are fully resolved to maintain, preserve, and defend the government of the church in that our kingdom as it is now established by law."

Approves of the proceedings of the council.

His measures for putting down opposition, and enforcing the bond.

LVIII. It would be insulting the reader to notice or to answer the arguments by which the prelatical party endeavoured to justify the enforcement of this bond, which they styled a merciful measure; although some writers in our own day have attempted extenuating the conduct of the Scottish government, because the people of these counties, by prudently remaining quiet, did not incur indiscriminate

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massacre. That such was not the case cannot be imputed to any leniency in the Scottish council, who in the commission for raising the highlanders, granted a previous indemnity for all maimings or murders of which they might be guilty, evidently with a view that the western counties would be provoked to resist. A general rendezvous of the forces was appointed at Stirling on the 24th of January, 1678; upwards of 8000 men, under their chiefs, the marquis of Athole, the earls of Mar, Moray, Caithness, Perth, Airly, and Strathmore, came down from the hills. They were there joined by the regular troops under Linlithgow, and thence, preceded by a train of artillery, marched westward, taking free quarters, and treating the whole district as an enemy's country.

Highland host assembles.

Marches to the west.

LIX. They were accompanied by a committee of the privy council, entrusted with exorbitant powers, for the purpose of enforcing the bond, disarming the inhabitants, and laying waste the country. Their instructions were, after ordering all the principal proprietors to meet them at Glasgow, to proceed to Ayr, and commence their operations by collecting all military weapons and accoutrements in that shire, as well those belonging to noblemen, gentlemen, and servants, as those which the militia of the shire had been, by a previous act of parliament, ordered to procure; and when the county was rendered incapable of resistance, the more obnoxious parts of their commission were to be carried into execution. As soon as Ayr was reduced, Lanark, Renfrew, and Kirkcudbright were to be subjected to similar treatment.

Committee of council attend it.

LX. Wherever the forces went, to the surprise of their officers, who were not let into the secret, they saw no appearance of disorder or disturbance; all was tranquil; the people following their usual occupations, except in Glasgow, where the silence of a private fast, held in prospect of the threatened calamity, threw a deeper gloom over the face of the population. On their march, however, they pressed for their use every horse indiscriminately, without regard to the inconvenience or damage they occasioned, by interrupting agricultural labour; and the natural rapacity of an uncultivated banditti was encouraged rather than repressed

Conduct of the host on their march.

by their leaders.* While the council sat at Glasgow, they spread themselves in various directions over the country; and as every article of household convenience was an acquisition to a highlander, their depredations extended to pots and pans, gridirons, and other meaner utensils. Travellers were stopped upon the highways, and not unfrequently stripped of their stockings and shoes, and other articles of wearing apparel, for which their kilted visitors happened to take a fancy.

At Glasgow.

LXI. The country was amazed at such a visitation; yet although their sufferings were severe, and they were exposed to the worst excesses which a brutal soldiery are wont to exercise in a conquered country, they were so generally convinced of its being the intention of government to excite them to insurrection, that, with a patience perhaps unparalleled in history, they suffered themselves to be despoiled of their property, imprisoned, abused, and tortured, without affording their oppressors the smallest occasion for accusing them of any crime, unless that of a rooted aversion to prelacy; of which such apostles, and such methods of instruction, were not very likely to render them more enamoured.

Peaceable submission of the people.

LXII. As the barbarians in general could neither read nor write, and understood the value of a shilling fully better than that of a signature, their exactions were pretty impartially levied, as well as on those who took as on those who refused the bond. The gentlemen who perceived that subscription did not insure safety, as it could not protect them, refused the bond; and were supported in their refusal by the chief nobility, who repeatedly represented to the council and the committee the illegality of enforcing a deed for which they had no act of parliament, and the ruin which was the necessary consequence of such conduct. Lauderdale, who must have perceived the force and the propriety of their complaints, would not admit a deputation into his presence;

The bond resisted—representations to the council.

Lauderdale's furious conduct.

* Wodrow gives an account of their furniture. They had no small store of ammunition; four field-pieces, vast numbers of spades, shovels, and mattocks, good store of iron shackles, thumb-locks to make examinations with, &c. &c. vol. i. p. 467.

to a rational proposal of their utmost to prevent conventicles, in a paroxysm of fury, swore by Je- them enter into the bond.

bond. A proclamation then followed, forbidding all land- to receive upon their estate, or into their tenants or servants who had not taken the was followed by another, forbidding the har- resetting of either tenants or cottars who refused tendered. Still the recusants stood out, when an was fallen upon of more extensive oppression than the bond. In cases where individuals are at variance, one fears personal danger from the other, he may, application upon oath to a magistrate, obtain a writ lawburrows, obliging his opponent to give security that shall keep the peace; and this writ, which may occasion- be necessary and useful in private life, by a strange perversion of law, was rendered the means of subjecting whole of a county to the charge of rebellion. A writ lawburrows was most preposterously issued at the suit king against his subjects, requiring all such of whose peaceableness he doubted, to secure the peace for them- wives, children, and tenants, in terms of the bond, the penalty of double their yearly rents, and whatever punishment the council might inflict; and, at the same ordering them to enter these bonds within six days the charge, under pain of rebellion. The opposition new species of legal persecution was more open and than any that had yet occurred; so much so, that on Valentine's day, among a party of the council, they chang- the pastime, and, instead of drawing for mistresses, they drew for estates, anticipating a fruitful harvest of confisca- tions; nor could they conceal their chagrin, when a reported rising turned out to be unfounded.

Writ of lawburrows issued at the king's instance against his subjects

LXIV. The unruly conduct of "the host" kept pace with the illegal proceedings of the council, till the exorbitant out- rages of both wrought a temporary cure. The sums levied in the west have never been accurately ascertained, nor was it possible to compute the total loss, so much more being

destroyed than was taken away.* But when the united voice of the country became too clamorous to be longer resisted, and the highlanders were marched back to their mountains, their retreat was like that of an army returning from victory and laden with spoil; they had seized the best horses in the country to carry off their plunder collected from the merchant's shops and gentlemen's houses, consisting of whole webs of linen and woollen cloths, beds, bed-clothes, carpets, men and women's wearing apparel, portable articles of household furniture; and, in some cases, when it had not been carefully secreted, the family plate. Their more wary chiefs had sent away their share of the spoil in hard cash and in more unsuspected conveyances; the earls of Airly and Strathmore were accused of having remitted great quantities of money to the highlands, rather in bags than in purses, which escaped safe, while some of the more ponderous packages of their retainers were detained and restored.†

1678. Highland host withdrawn.

LXV. At first, when the council determined upon passing the bond, and bringing down the highlanders, they issued a proclamation, forbidding any nobleman or gentleman to leave the country, dreading the effect their representations might have upon the king and the people of England; when the highlanders were withdrawn, and the lawburrows were pressed with redoubled severity, a new proclamation was published, forbidding all noblemen and gentlemen to approach the capital. Thus cut off from any prospect of relief, or of having their grievances heard, the earl of Cassilis, who inherited the spirit of the pupil of Buchanan, submitted to necessity; but, with the dignified repugnance of a freeman who was wronged, he did not submit in silence; he asserted the rights of his countrymen, and by an avowal of his disap-

Precautions to prevent representations on these proceedings reaching the king.

* Ayr alone, of which Wodrow has given a rough calculation, and which he states as far under the real amount, lost L.16,660, 18s. 8d. sterling, or two hundred thousand pounds Scots, vol. i. 489.

† The students in the college of Glasgow, and some youths in the town, stopped the bridge, the river being high, against two thousand of them, neither did they permit them to pass till they delivered the spoil they carried with them, and only forty were allowed to cross at once, who were conveyed out at the west port, and not suffered to go through the town. "The custom-house was nearly filled with pots, pans, bed-clothes, wearing clothes, rug coats, gray cloaks, and the like." Wodrow, vol. i. p. 480.

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probation, called down upon him the vengeance of the junta. For some time he stood alone, and his example remains to show how much of public utility may be called into action by the unfactious resistance of one nobleman of irreproachable character. Having declined to take the bond or comply with the letters of lawburrows, he had in consequence been denounced rebel; and, to avoid being apprehended, sought refuge at court. Through the duke of Monmouth he obtained possession of the royal ear, and, with a freedom which it is pleasant to remark in an age of abasement, he boldly told his sovereign the truth. In our day, the self-devotion of the act cannot be appreciated, nor are we fit to judge of its noble intrepidity without conveying ourselves back in imagination to the time when the law of leasing was in full force. He gave in, in writing, (and put his name to the paper) a candid and dispassionate relation of the miseries that afflicted his country; and although he had suffered himself to a degree that might have vindicated the utmost asperity of language, his letter was distinguished by an equanimity of tone which compelled attention, and defied recrimination.

Earl of Cassilis denounced rebel—repairs to court.

His report to the king.

Hamilton, &c. follow.

LXVI. Emboldened by his success, the duke of Hamilton, accompanied by about sixteen noblemen, and upwards of forty gentlemen, also violated the prohibition, and went to London; and the council, alarmed at these symptoms of serious opposition, dispatched two of their number, the earl of Moray and lord Colington, with a letter to the king, soliciting the royal approbation for their proceedings. This his majesty readily granted, but he could not refuse to listen to the complaints of his discontented Scottish subjects, especially as they had been joined by Athole and Perth, noblemen who commanded in the highland host. But their representation had greater effect in another quarter; they animated the exertions of the English parliament then sitting, who saw in the establishment of tyranny in Scotland a yoke wreathing for their own necks; and they repeated their petition for the dismission of the earl of Lauderdale from his majesty's councils, and expressed their abhorrence at the procedure of the Scottish government. Charles, unable to resist the united voice of both nations, although he retained

Charles approves the conduct of the council.

English parliament petition for Lauderdale's dismissal.

his favourite servant, wrote to the Scottish council—"That he had considered the representations made to him by some of his subjects anent the late methods with the west country, with the answers and replies, which so fortified the representations, that he resolved to hear and consider things fully; but, in the meantime, commanded that the lawburrows be suspended till his further pleasure should be sent, and that all the forces except his own guards should be disbanded."*

1678. Charles suspends the lawburrows, and orders the troops to be disbanded.

LXVII. The Scottish council, who expected that Cassilis would have been sent down to take his trial, and the other lords dismissed in disgrace, were sorely astonished and humbled when they received the royal mandate, and instantly sent off sir George Mackenzie with instructions to inform the king of the mischievous tendency of the noblemen's interference in the fanatical quarrel, when all the chief gentry in Scotland between sixteen and sixty were ready to rise in support of the government, and to have entirely disarmed the discontented shires. After his arrival, Charles was, with much entreaty, though strongly reluctant, persuaded to admit to a hearing the duke of Hamilton and the other nobility, whose numbers had been greatly weakened by desertion during their long stay, as the frequent delays had exhausted both their patience and their purses.

Representation of the council to the king

LXVIII. When at length they were permitted to state their complaints in presence of the cabinet council, their contempt for royal authority, in leaving the kingdom, in opposition to a proclamation requiring them to remain at their posts and assist in securing the tranquillity of the country, was urged. Against this, they pleaded their privilege to approach the throne, a privilege which the Scottish nobility had ever enjoyed without restraint, now more necessary than ever by the distance of the king from his ancient kingdom. "The kingdom," they said, "so far from being disturbed, had only been rendered turbulent by government themselves. In a time of profound repose, a host of barbarians had been introduced to press illegal bonds, and to exercise all the atrocities of war in the midst of peace; and they, despairing to obtain any redress,

Scottish nobles' interview with the king.

* Representations, replies, &c. published in separate pamphlets, 1678. Advocates' Library. Wodrow, vol. i. p. 509. and Appendix, vol. i. Burnet, vol. ii. p. 189. Kirkton, 393.

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or being allowed to pursue measures which, in their opinion, would have preserved, and would still restore tranquillity to their distracted country, represented as disloyal, only by the foulest calumny, had now repaired to the royal presence as their best refuge, and implored from his majesty's justice more lenient and legal treatment." The Scottish councillors represented "that they had repeatedly desired the noblemen in the turbulent districts to put down the conventicles, designated by act of parliament rendezvouses of rebellion; but that they having refused to do this, they had accepted of the offers of more loyal subjects, whose vassals had been introduced for a short time, and had conducted themselves with exemplary moderation. That their own proceedings were favourable to the landlord, and ameliorated the law, giving him his choice to prevent these rebellious meetings, to disperse them when assembled, to turn out his tenants, or deliver them over to punishment, if guilty, than which nothing could be more reasonable." The noblemen reiterated the real enormities of the case, and requested only for their countrymen the protection of the laws. The king appeared softened, and spoke kindly to them. His request, however, that their grievances might be given to him in writing, discovered his deceit. When they asked for security that the paper would not be used against them, he offered them the word of a prince, the value of which they were too much acquainted with to accept. Before they compeared, indeed, the king told them he was certainly assured that a rebellion was projected in Scotland, but he would take care that the actors in it should be the sufferers. When about to retire, the duke of Hamilton, kneeling, requested the honour of his royal hand; but Charles declined, and pettishly putting both behind his back, lest the duke should snatch a kiss, remained in this dignified posture till he broke up the meeting. Three days after, he justified all their suspicions, by writing a letter—the third, and bearing marks of being his own composition—to the council, thanking them for all their conduct, and assuring them of his protection, and severely reflecting on the behaviour of the complaining noblemen.

He requires the grievances to be stated in writing, which is declined.

His pettish treatment of Hamilton.

His letter to the council.

LXIX. There is an elasticity in the human mind, until fi-

nally broken by oppression, that causes man in all his struggles with tyranny, spring into action with renovated vigour, the moment some temporary removal of pressure gives him any partial freedom or hope of eventual success. No sooner was the highland host removed, and the concessions of the court known, than the presbyterians, supposing—for by some fatality they continued to imagine the king deceived but not depraved—that now when the truth had been told his majesty, he would relax those severities they believed he never approved, and extend his indulgence, began more zealously to hold conventicles throughout the different counties of Scotland; and even those parts which had not before been distinguished for their attachment to field preaching, became noted for remarkable and multitudinous meetings. Nor was the disappointment of the prelatical party less active. They averred that when the troops were withdrawn, they might depart from their parishes; and the bishop of Galloway complained "that it was marvellous to observe shoals of highlanders in their trews, and many bare-legged, flocking to Methven, Gask, or Tippermuir, to propagate the mischief of the good old cause; and it was no small discouragement for good men, that a shire formerly so orderly and obedient as that of Perth should become schismatical."*

Hopes of the presbyterians revive.

Conventicles more general.

Fears of the bishops.

LXX. Information of all these occurrences was assiduously transmitted by the prelates to the king; who, as he had unwillingly consented to the reduction of the army, was happy to seize the first opportunity of raising new forces. An order to this effect was transmitted to the council; and Lauderdale—who probably suggested the idea—summoned a convention of estates during the absence of his opponents, in order to raise the necessary supplies. The royal approbation of his measures so frequently and heartily expressed, enabled him to secure a majority among the nobility who remained, and at the elections of the commissioners, such as to preclude any efforts of the other party on their return. His majesty's letter, expressive of the great kindness he bore his ancient kingdom, and his watch-

Lauderdale calls a convention of estates.

* Law's Memorialls, p. 138. I merely quote this writer as to public facts well known, otherwise the memorials are of poor authority.

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fulness over all its concerns, and recommending to them to persist for its defence, at a time when these dangerous field conventicles were growing in their numbers and insolencies, was met by expressions of the most ardent loyalty. The troops were voted, 5000 foot and 500 horse, and the sum of eighteen hundred thousand pounds Scots granted for their support, to be raised in five years, by a cess of five months yearly, payable at two terms, or fifteen hundred thousand pounds sterling each half year. But as this supply was furnished only in respect to the present exigent, so they promised it "should not lessen their forwardness in appearing universally betwixt sixty and sixteen with great alacrity and cheerfulness whenever his majesty should call upon them for their assistance:—for his goodness had left them nothing else than to bless God for a king, who, like God, never used his power but to do good!" The administration of Lauderdale was approved of in a style of the same fulsome adulation, which exposed the assembly to merited contempt abroad, as its subsidy did it to abhorrence at home, among those who knew that the greater part of it would be expended in the pay of the members or their relatives who expected commissions in the proposed militia.*

A new army voted—a cess imposed for its support.

Lauderdale's administration highly approved.

The cess, a cause of divison among the covenanters.

LXXI. But the cess gave rise to a dispute among the presbyterians more injurious to their cause than all the persecution they had hitherto suffered, as it divided those of sincere uncorrupted principle, who till then had continued united. The money to be levied by the act was directly stated to be levied for the sole purpose of suppressing conventicles. To suppress conventicles, in the general opinion of the presbyterians, was to suppress the preaching of the gospel; and a question was started, how far it was consistent with their duty as Christians to contribute in any direct way to the suppression of truth; which they did as effectually by supplying money to support those who were to fight against it, as by taking arms themselves. Some of the oldest and most experienced among them were for the more peaceable course;—to pay the cess, and as it was forcibly taken this—they argued—could never imply voluntary approbation, which alone constituted crime; especially as resist-

Opinions of the old respecting it.

* Scottish Acts, vol. viii. p. 230.

would only afford a legal pretext for the collectors exercising greater rigour, and exacting as much as would raise and maintain two armies. Those who had accepted the indulgence supported this view of the subject. The younger men—whose zeal was animated by the first deeds of the Scottish reformers, and the successful resistance of the fathers of the covenant, without adverting to the difference of the times, saw nothing but ruin and guilt in submission—objected to payment of the cess, as an active concurring with the persecutors; and concluded that it was better in a good cause to suffer than to sin. In this they were backed by the banished in Holland, who—like all exiles—prone to the strongest measure, were perhaps more swayed by their passions than their prudence. A third class proposed to pay the cess, under protest that it was not for the purpose of maintaining the soldiers, but in compliance with the Lord's injunction, to render to Cæsar the things that are Cæsar's. These last were considered worse than the former, because they perverted scripture. Would our Saviour, it was asked, have wrought a miracle to pay cess, if the collector had demanded it for the support of idol worship and the suppression of the cause of God? The question seems to have extinguished the middlemen; but the disunion between the others proved fatal to the rising at Bothwell.*

Of the younger.

Of the middlemen.

LXXII. We turn with horror from the tale of untaught illiterate Africans torn from their country, and sent to labour in the West Indies, in a climate somewhat similar to their own, and frequently to encounter less hardships than they would have done in their native soil, where slavery still exists in its most horrid form; but in Scotland during this year, sixty-seven respectable members of society—some of them ministers, the generality householders, and however strange, too, some *writers*—were shipped at Leith, to be transported to the Indies by Ralph Williamson of London, to be there disposed of to the best advantage; whose only crime it was, that they preferred the presbyterian to the episcopalian mode of worship.

Prisoners shipped to the West Indies as slaves.

LXXIII. Severities were now increasing. Whenever any go-

* Hind let Loose, p. 709, et seq. Wodrow, vol. i. p. 528. Kirkton, p. 393. Law's Memorialls, p. 141

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vernment in a country heretofore free, exceeds the proper boundaries of law, it becomes the most intolerable of all tyrannies. Necessarily suspicious and revengeful, it confers no safety, and admits of no repose: it augments its rigours if ineffectually resisted, or its caprice if implicitly obeyed. Not only were all conventicles hunted down, but those "suspected of being suspected" were liable to punishment.* Tales narrated by sufferers themselves may sometimes be liable to the suspicion of being overcharged, but the instructions sent by authority admit of no such doubt; especially when their execution is insured by motives at once of terror and of gain. In addition to the usual public officers in the courts—sheriffs and their deputes—the committee for public affairs procured, by an act of prorogation, the erection of a new officer, an additional sheriff-depute,† to be nominated by themselves, for the sole purpose of executing the law against the withdrawers from public ordinances, keepers of

Additional sheriff deputes appointed.

* It is impossible, in reading the account of the conduct of the committee for public affairs in Scotland, not to recall to our recollection the proceedings of an equally execrable committee, the committee of public safety, established in Paris during the French revolution. So nearly do extremes meet, that the fanatical atheists of the one might almost be accused of having copied the apostate prelates of the other, could we suppose Danton and his associates, who instituted that terrific tribunal, to have been acquainted with the dark and bloody period of episcopal ascendency in Scotland! Yet the prelatists in one respect deserve the palm—they shared the fines and confiscations among themselves and their agents.

The following were the powers given to the soldiery.—"Whereas by the late act of council January 28, warrant is given to officers and soldiers to dissipate conventicles, and seize preachers and other persons thereat; and seeing it may be presumed, where any number of persons are found together in the fields near to the place before or after conventicles have been kept, that they have been going to or coming from conventicles, that orders be given to the officers and soldiers for seizing and securing such persons [as prisoners] going to or coming from conventicles, upon the day of the keeping thereof, until they give bond or mark themselves under particular penalties, according to the quality of the persons, that they shall live orderly, keep their own parish kirks, and not go to conventicles thereafter, or appear before the council at a certain day."—Council records, quoted by Wodrow, vol. ii. p. 13.

† They were termed sheriff bailie-depute. The sheriffs had legally the right of naming their own deputes, but they were suspected of not being sufficiently violent, and their deputes shared in the suspicion. It was therefore necessary for the prelates to have creatures of their own, who would rigidly execute the acts of council, and rather exceed than alleviate their instructions; and the crown assumed the nomination.

conventicles, and persons guilty of disorderly baptisms and marriages, or holding intercourse with intercommuned fugitives or ministers—and with powers at the same time to act as justices of the peace. They were desired to summon before them any person, of whatever quality, age, or sex, who had been at, or was "suspected of an intention" of going to, a conventicle; to fine and imprison them upon their appearance; or to fine and outlaw them if they failed to appear; to oblige them to find security, or to summarily levy the penalties by poinding their cattle; to call in the assistance of the troops to enforce the execution of their sentences, and to apply the whole fines of all who were not landed men to themselves and the other sheriff-deputes. The military were commanded to dissipate all conventicles by force; and if they refused instantly to disperse when ordered, or made any resistance, the soldiers were pardoned by anticipation for any murder or wounding that might ensue. The preachers—who were declared traitors—or any intercommuned persons, were to be apprehended and lodged in prison for trial; others were to be allowed the benefit of bail; but where congregations were too numerous to be all arrested, the upper garments of the most obnoxious were ordered to be taken as pledges for their appearance. The soldiers were also empowered to seize the horses and arms of all who were at such meetings, to break open doors and lockfast places, to search for suspected persons, and to make use of any of the houses in the country as garrisons when they had occasion.

Their powers.

Aided by the military

LXXIV. Armed with such powers, the civil and military authorities resembled rather the officials of the inquisition than the regular officers of a protestant government. The exaction of the cess, the dispersion of the field meetings, and the levying of fines, or the infliction of punishments, appeared now to be the only purposes for which the government existed. The cess was universally collected, and force—often cruelly exerted—decided the argument about paying it. But the rigours adopted towards field meetings only increased the evil; they durst not meet in small numbers nor unarmed, as the punishment was the same, and the danger greater than in large armed bodies. They began to assume the form which government affected to dread, and to sup-

Conventicles assume an alarming attitude.

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press which was one of the reasons assigned for raising the forces. Every conventicle was becoming an army; and as in such crowds all could not be expected to be men of pure principles, and influenced solely by a desire of hearing the gospel, it is not to be wondered at that some irregularities were committed, and that language began to be held which would afford a handle to their enemies; nor were the emissaries of the government inactive, who hoped, by pushing them to extremities, to reap advantage from their rashness.

The popish plot in England

LXXV. At this time the popish plot in England was so universally credited, and the measures the king was constrained to adopt in consequence, so opposite to his inclination and his politics, that he beheld with great complacency his servants in Scotland, availing themselves of the same story to redouble their efforts to support a standing army, under the absurd pretext of suppressing presbyterian conventicles, not only as execrable meetings and rendezvouses of rebellion, but as receptacles of jesuits and hidden papists. The English parliament, on the other hand, were naturally alarmed at the proceedings of the government in Scotland, of which the king so repeatedly and unequivocally expressed his approbation; and the earl of Shaftesbury expressed himself so strongly on the subject, that it has been attempted to establish some connexion between his speech and the rising in Scotland which took place shortly after. "Popery and slavery," he said, "like two sisters, went hand in hand. In England, popery was to bring in slavery; in Scotland, slavery was to introduce popery. Both countries were under the same prince, and the influence of the same favourite and counsels; yet in no eastern country were the lives, liberties, and estates of the people, more subjected to the arbitrary rule and disposal of those that govern, than in Scotland; nor was it to be imagined that their conduct was without design; they wished to drive the Scottish nation to rebellion, on purpose that when an army was raised, under pretence of quelling the disturbance, they might march to England where they would find the papists ready in arms to receive them." That more than sympathy, however, towards the sufferers ever existed, there appears no grounds for believing; nor is it necessary to seek any other cause for the western insurrection than the grievous oppression

used as a pretext for keeping up an army in Scotland.

Earl of Shaftesbury's speech.

exercised by the delegated civil and military authorities. Driven to desperation, the country was ripe for revolt, and there wanted only leaders of ability to have rendered it universal and successful. Several incidents tended to hasten the crisis.

LXXVI. Johnstone, a captain of the train-bands, Edinburgh, a violent man, and active in putting down conventicles, had an unpleasant hoax played off upon him. Being directed to a house where a meeting was said to be held, instead of finding the prey he was in pursuit of, he was rewarded for his officious zeal by a sound drubbing; which, although it rendered him for a few days somewhat more captious in going on such errands, did not materially injure him. This was magnified into a deliberate attempt at assassination, and the calumny was rendered serious by the murder of two soldiers at Loudon Hill, by persons who were strongly suspected to have been government spies.* But the death of archbishop Sharpe, which shortly followed, threw the others into shade, and was long the watch-word for the most wanton, cruel, and indiscriminate retaliation.

Hoax played off on captain Johnstone.

LXXVII. In the month of April the council extended the powers of the committee for public affairs, instrusting them with supreme judicial and executive authority, and appointing three to be a quorum. As the two archbishops and the bishop of Galloway—who had a dispensation allowing him to reside constantly in Edinburgh—were among the number, the general odium against the prelates was heightened; while the activity with which the inferior clergy denounced the absentees from the parish churches, kept the country in

Powers of the committee of public affairs extended.

* Three foot soldiers were quartered upon a person at Loudon Hill who had not paid cess, and they continued there two days. The man himself being sick, his wife or maid servant had threatened if they did not leave the house they might repent it. They refused to do this without orders, but were in general civil; when, one of them being absent, the other two were awaked early one Sabbath morning by persons rudely knocking at the barn door, and when one of the soldiers rose to open it he was saluted with "Come out, you damned rogues," and was instantly shot through the body; the other was much wounded, but survived a few days, and described one of the murderers as a John Scarlet, tinker, who had been with Carstairs, [p. 604.] and was afterwards apprehended, when he gave himself out for one of Mr. Welsh's body guard, but escaped without any punishment. Wodrow, vol. ii. p. 25. The language made use of by the men was not that of whigs: and no inquiry was made after Scarlet at the time, which strongly corroborates the suspicion.

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a state of constant irritation, and drove to conventicles men who would never perhaps have thought of going thither, had they not been induced by hatred to the curates, to hear their opponents. The new sheriff-deputes faithfully seconded the most violent measures of the party; particularly Carmichael—a bankrupt, and formerly a bailie in Edinburgh—appointed to this office in Fife by the primate, who was beyond measure enraged at the increasing number and boldness of the conventicles in his own diocese. A number of the small proprietors were ruined and intercommuned, and their sufferings were exasperated by the tortures to which their relatives and servants were exposed on account of their fidelity; burning matches were applied to extort from their domestics a discovery of the retreats of the wanderers; nor did the circumstances of their wives, in the most delicate situations of pregnancy or childbirth, save them from brutality and insult; tender age or sex was no protection to their children, who were frequently turned out to wander on the heath, or beg a scanty pittance which it was proclaimed illegal to bestow. To apply common rules to such a state of society, or talk of the relative duties of magistrates and people in a case where law was only another name for oppression, and magistrates were only known by the pains they inflicted, would be altogether a misapplication of language.

Cruelties committed under their sanction.

Sufferers rendered desperate.

LXXVIII. Several of these heritors, placed without the protection of government, and denied every method of legal redress, while skulking from place to place, amid the wreck of their families and fortunes, adopted the desperate resolution of inflicting an exemplary punishment upon the instrument of their suffering, in the hope of procuring some alleviation to their misery from the terror of their persecutors, as they found they could obtain none either from their justice or mercy. On Saturday, May 3, they assembled, nine* in number, and determined to intercept Carmichael, who, they learned, that morning was hunting in the neighbourhood of Cupar; but he having heard that some suspicious characters were abroad, and sufficiently aware of his

A party lies in wait for Carmichael.

* Among them were David Hackston of Rathillet, John Balfour of Kinloch, or Burleigh, James Russel in Kettle, Andrew Gibson, two of the name of Henderson, William Danziel, and Balfour of Gilston; of whom Hackston and Gilston afterwards suffered.

own demerits, gave up his sport hastily, and eluded their pursuit. Frustrated in their expectations of meeting with the deputy, they were preparing to separate, and wait some more favourable opportunity, when a boy, sent from Robert Black of Baldinny, told them that the archbishop was at Ceres, and would soon pass by Blebo-Hole, not far distant. Their minds—already roused up to a terrible purpose by their long meditating upon their own wrongs, and the injuries done to the religion and liberty of their country by the active apostacy of Sharpe—struck with the unexpected incident, which they considered as a kind of miraculous interposition, received the intelligence as an immediate communication from heaven; and one of them enthusiastically exclaimed, "truly this is of God; it seems he is delivered into our hands!" Hackston of Rathillet was averse to taking the primate's life; he thought a matter of such importance to church and state should be a subject of more mature deliberation; besides, he had a personal objection, having a private quarrel with Sharpe on account of teinds. He would not, however, desert them, though he would take no active part. One of them now remarked, "if we spare his life our hazard shall be no less, and likewise his cruelty shall be greater;" and John Balfour of Kinloch calling, "gentlemen, follow me," they rode along the moor towards a village called Magus—about two miles from St. Andrews—near which they descried the archbishop's coach. Russel, another of the party, who had the fleetest horse, pushed on before, to ascertain whether Sharpe was in the carriage, and perceiving that he was, threw away his cloak, and cried out, "Judas be taken!" The bishop replied, by vehemently screaming to the coachman, "drive! drive!" and the coachman redoubled his exertions to excite the speed of his horses, at the same time preventing the gentlemen from getting near him by brandishing his whip; the latter repeatedly ordered the drivers to stop, who only drove more furiously, till one of the pursuers outran the coach, and struck the leading horse in the face with his sword, when another coming up, wounded and dismounted the postilion, and cut the traces.

Disappointed.

Fall in with archbishop Sharpe.

LXXIX. During the chase several shots had been fired, some of which went through the coach, but did no harm.

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After it was stopped, the leader of the party ordered the bishop to come forth, to prevent any injury being done to his daughter, who was with him; but he refused, and began to expostulate, when the other fired a pistol, which not taking effect, he was forcibly dragged from his seat. When brought out, he fell upon his knees, and intreated them to spare his life and he would spare theirs, and promised they should never be called to account for that day's work. They reminded him of his conduct to Mitchell, and protested that it was from no motives of personal revenge they sought his life; but because he had betrayed the church, and for eighteen years wrung his hands in the blood of the saints, they were commissioned by God to execute just judgment upon him, as a murderer, an apostate, and an open persecutor of the church of Christ. His continued intreaties for life were answered by exhortations to prepare for judgment and eternity; and his last moments were imbittered by the reproach of his having kept back the king's letter till nine persons had suffered on account of the affair at Pentland. His daughter too fell on her knees, and besought them to spare him; but the conviction that their own lives must have been the forfeit, would not allow them to listen to the voice of mercy. They fired again, and he still escaping the balls, they cut him repeatedly with their swords, when he fell flat on his face, and lay motionless, his daughter shrieking and weeping bitterly beside him. Believing him killed outright, the party were mounting their horses to go off, when one of them having overheard his daughter, in calling to the coachman for help, say, "oh! there is life in yet," desired them to make sure work, as, if he survived, it would be worse than if they had never touched him; they returned and finished their dreadful business by literally hewing his head in pieces. They then disarmed the servants, and carried off the arms and all the papers; and although the deed was performed at noon day, and the country was in every direction patrolled by the troopers, the actors met with no interruption, but remained together till evening, when, after having examined the documents they had found upon the primate, they separated, each to shift for himself.*

* Russel's Account of the Murder of Archbishop Sharpe. Account of Sharpe's death by authority, Wodrow, vol. ii. p. 32.



ARCHBISHOP WILLIAM ANDREWS

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LXXX. Like all apostates, who deserve the name by deserting a cause, not from conviction of its badness, and the superiority of that which they espouse, but from motives of ambition, covetousness, or self-interest, Sharpe was cordially abhorred by the party he betrayed, without being esteemed by those he joined; and as he lived without being loved, he died without being lamented. Setting aside the dubious tales his opponents have alleged against him,* it is evident, from the uncontroverted facts of his public life, that he was a man who did not live under the influence of the principles he professed: his lust of power, and desire of pre-eminence, swallowed up every other passion, and rendered him deceitful and perfidious; while his consciousness of having injured his former associates rendered him cruel and revengeful. He was at once haughty and servile, imperious and abject, careless about the substance, and furious for the forms of religion; he was more anxious to persecute the non-conformist than to instruct the ignorant or reclaim the vicious. The general misery he had spread over the country by his zeal for episcopacy, rendered his death a subject of little regret to any who were not immediately interested in supporting that system of which he was the chief agent; nor was it unnatural that the first feelings of the presbyterians should have been that of satisfaction at the removal of their most implacable persecutor.

His character.

LXXXI. No fact in history is more certain than that the archbishop's death was unpremeditated, nor than that it was entirely caused by his own cruelty; it is therefore ridiculous to allege that it originated in any abstract doctrines promulgated in the meetings of the times, or to involve the presbyterians of that day in a charge of abetting assassination; a charge which comes with a peculiarly bad grace from their opponents, who pass over a much more inexcusable murder, wantonly committed on that very day, on the person of a young, pious, and unoffending individual, Andrew Ayton, younger of Inchdarnie, who had been intercommuned when only seventeen years of age, for not attending the episcopal incumbent. He had, by stealth, dined on that day at his father's house, which he had left about two o'clock, and was proceeding to his hiding place at Auchtermuchty, when he saw

Murder of Ayton younger of Inchdarnie.

* Hind Let Loose, p. 645; Naphtali, p 134, &c.

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a party of horse riding furiously to Coupar, and rode somewhat smartly to avoid them: this being perceived by the commander of the troop, he dispatched one of his soldiers after him, who, without asking any question, or desiring him to surrender, shot the young gentleman through the body, and returned unconcernedly to his party. With difficulty Ayton continued on horseback till he reached the next house, where he was accommodated with a bed, and a servant dispatched to Coupar for a surgeon; but no surgeon was allowed to stir from the place; instead, a party were sent to bring him, wounded as he was, a prisoner to the town, nor could the entreaties of sir John Ayton, his relative, prevail upon them to allow the dying youth to remain. He was hurried away that night upon one of their horses to Coupar, although he fainted four times upon the road through loss of blood; and next day expired about twelve o'clock. As we proceed in the dismal and bloody period upon which we are now about to enter we shall meet with numberless equally unprovoked and wanton murders, incited, encouraged, and rewarded by the government.

Reflections.

LXXXII. If, under such circumstances, retaliation were threatened, and sometimes justified, it would be difficult to point out any law of nature or of God by which moral guilt could be attached to the private avenger of blood, in a nation where assassination was sanctioned by statute, where hospitality was a capital crime, and common courtesy punishable by death; where to petition was treason, where to talk of legal redress was the certain road to a jail, and to utter a complaint was, in the phrase of the country, to sign one's own banishment. Yet I do not know that the wildest covenanters ever attempted to justify the execution of righteous judgment by private men on any other grounds than extreme necessity, which forced them to fall upon such expedients to prevent their utter extermination, or that they ever extenuated such extremities by any other plea than that of oppression, which, inspiration itself saith, maketh a wise man mad.



